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**BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO**

AGENDA

DOCUMENTS DEPT.

DEC 30 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 4, 2005 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvr

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

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Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the November 23, 2004 and December 7, 2004 Board Meeting Minutes

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 21

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

1. 041529 [Liquor License Transfer, 699 Third Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 681 Third Street to 699 Third Street (District 6) to Joseph Kim for the Third & Townsend Corner Store will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.
(City Services Committee)

Question: Shall this Resolution be ADOPTED?

2. **041608** **[Liquor License - Ferry Building Marketplace, Unit 33, The Embarcadero]**
Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 355 Bayshore Boulevard to Ferry Building Marketplace, Unit 33, The Embarcadero (District 3), and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, to Boriana Stoilova for I Preferiti Di Boriana Montepulciano LLC will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.
(City Services Committee)

Question: Shall this Resolution be ADOPTED?

3. **041581** **[Accept - Expend State Grant]**
Supervisors Duffy, Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$38,014 from the State Board of Corrections (BOC), from funds made available under the Juvenile Justice and Delinquency Prevention Act of 1974 ("Federal Juvenile Justice Challenge Funds") for developing and adopting policies and programs to provide basic health, mental health, and appropriate education services, including special education, for youth in the juvenile justice system.

Question: Shall this Resolution be ADOPTED?

4. **041587** **[SFHIV Vaccine Clinical Trials Network, Year 2004 to 2005, and add 0.25 of a New Position to the Year 5 Budget]**
Supervisors Duffy, Ammiano
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$481,758 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund the fifth year of the SFPDH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN) and to add 0.25 of a new position not included in the original agreement; for the period of June 1, 2004 to May 31, 2005.

Question: Shall this Resolution be ADOPTED?

5. **041651** **[Expand treatment capacity for methamphetamine abuse in San Francisco]**
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend grant funds in the amount of \$497,910 from the Center for Substance Abuse Treatment/Substance Abuse and Mental Health Services (CSAT/SAMHSA) to expand treatment capacity for methamphetamine abuse in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2004, to September 29, 2005.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

6. 041658 [Contract funds to support sustainable school-based health care]
Resolution authorizing the San Francisco Department of Public Health, Balboa Teen Health Center, Community Health Programs for Youth (SFDPH), to enter retroactively into an agreement with Public Health Institute, California School Health Centers Association (PHI/CSHC) the primary contractor, and expend funds in the amount of \$18,820 to support advocacy at the local, state, and national levels for sustainable school-based health care; for the period of August 1, 2004 to July 31, 2005.
(Public Health Department)
- Question: Shall this Resolution be ADOPTED?
7. 041696 [Accept-Expend Federal Grant]
Supervisors Elsbernd, Dufty
Resolution Authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice – Office of Community Oriented Policing for a project entitled “U.S. Department of Justice – Universal Hiring Program.”
- Question: Shall this Resolution be ADOPTED?
8. 041697 [Accept-Expend Federal Grant – Special Emphasis Victim Assistance Program: Elder Abuse]
Supervisors Peskin, Elsbernd
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$110,000 through the California Governor’s Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled “Special Emphasis Victim Assistance Program: Elder Abuse.”
- Question: Shall this Resolution be ADOPTED?
9. 041698 [Accept-Expend Federal Grant – Special Emphasis Victim Assistance Program - Homicide]
Supervisors Maxwell, Dufty
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$110,000 through the California Governor’s Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled “Special Emphasis Victim Assistance Program—Homicide.”
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

10. 041466 [Extending the Yerba Buena Center Redevelopment Plan by One Year]
Supervisor Daly
Ordinance amending the Yerba Buena Center Redevelopment Plan to extend by one year the time limit on the effectiveness of the Yerba Buena Center Redevelopment Plan and the time limit to receive property taxes and repay indebtedness pursuant to Senate Bill 1045.
- 12/14/2004, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

11. 041583 **[Appropriate fund balance for the Port of San Francisco's Pier 35 Security Enhancements Project (Port's Cruise Ship Terminal)]**
Mayor
Ordinance appropriating \$980,349 of unappropriated fund balance from the Port for the Pier 35 Security Enhancement Project, the Port's Cruise Ship Terminal, to fund the second phase of the construction contract for Fiscal Year 2004-05.
(Fiscal impact.)

12/14/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

12. 041484 **[Settlement of the Lawsuit - Pamela Nash]**
Ordinance authorizing settlement of the lawsuit filed by Pamela Nash against the City and County of San Francisco for \$100,000; the lawsuit was filed on February 7, 2003, in the United States District Court, Northern District of California, Case No. C-03-01221-CW; entitled Pamela Nash v. City and County of San Francisco, et. al.

12/14/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 041487 **[Mayor's Office on Disability]**
Supervisors Alioto-Pier, Daly
Ordinance amending the San Francisco Administrative Code by amending the title to Chapter 2A, Article 1 to add the Department of Administrative Services and by adding a new Section 2A.22 to Chapter 2A, Article 1 to create the Mayor's Office on Disability and place it within the Department of Administrative Services and empower the Mayor's Office on Disability to issue, subject to approval by ordinance of the Board of Supervisors, policies and procedures with respect to compliance with the Americans with Disabilities Act (Public Law 101-336) and other disability rights laws and disability access regulations and codes.

12/14/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

14. 041606 **[Settlement of Lawsuit - Eugene Duffy]**
Ordinance authorizing settlement of the lawsuit filed by Eugene Duffy against the City and County of San Francisco for \$30,000; the lawsuit was filed on June 13, 2003, in San Francisco Superior Court, Case No. 421395; entitled Eugene Duffy, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 041648 [Settlement of Lawsuit - Steve Potter]

Ordinance authorizing settlement of the lawsuit filed by Steve Potter against the City and County of San Francisco for \$50,000 paid to the City and County of San Francisco by Cross-Defendant OneBeacon; the lawsuit was filed on March 20, 2003 in the United States District Court, Case No. C03-1217 MEJ; entitled Steve Potter, et al., v. City and County of San Francisco, et al; other material terms of said settlement are Cross-Defendant OneBeacon will pay \$195,000 to plaintiff and plaintiff's counsel and \$100,000 to co-defendant Palace of Fine Arts Theater League.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 041167 [Appointment - Library Citizens Advisory Committee]

Resolution appointing Maryam Daryabegi-Farhang, term ending July 18, 2006, to the Library Citizens Advisory Committee.

Maryam Daryabegi-Farhang, new appointment, seat 13, must be a member from the community at large, representative of New Americans for whom English is a second language, for the unexpired portion of a two-year term ending July 18, 2006.

Question: Shall this Resolution be ADOPTED?

17. 041634 [Settlement of Unlitigated Claim]

Resolution approving the settlement of the unlitigated Claim No. 04-03446 filed by National Mutual Insurance Company as subrogee for the Chinese American War Veterans on May 10, 2004 against the City and County of San Francisco for \$61,192.99.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

**18. 041667 [Appointment - Citizens' General Obligation Bond Oversight Committee]
Supervisor Elsbernd**

Resolution appointing William Wong and John Hentz, terms ending November 21, 2006, to the Citizens' General Obligation Bond Oversight Committee; residency requirement waived.

William Wong (residency requirement waived), succeeding himself, term expired November 21, 2004, seat 2, must be active in labor organizations, for the unexpired portion of a two-year term ending November 21, 2006.

John Hentz, succeeding himself, term expired November 21, 2004, seat 3, must be active in a community organization, for the unexpired portion two-year term ending November 21, 2006.

Question: Shall this Resolution be ADOPTED?

19. 041670 [Appointment - Ballot Simplification Committee]

Resolution appointing Alma Carroll, Betty Packard and Suzanne Strassevitch, terms ending November 30, 2006, to the Ballot Simplification Committee.

Alma Carroll, succeeding herself, term expired, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.

Betty Packard, succeeding herself, term expired, seat 2, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.

Suzanne Strassevitch, succeeding herself, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2006.

Question: Shall this Resolution be ADOPTED?

20. 041672 [Appointment - Developmental Disabilities Area Board V]

Resolution appointing Jennifer Walsh, term ending December 31, 2007, to the Developmental Disabilities Area Board V.

Jennifer Walsh, succeeding Sara Desumala, term expiring December 31, 2004, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2007.

Question: Shall this Resolution be ADOPTED?

21. 041715 [Appointment - Bicycle Advisory Committee]

Supervisor Elsbernd

Resolution appointing Elbert Hill, term ending November 19, 2006, to the Bicycle Advisory Committee.

Elbert Hill, succeeding William Henning, term expired, seat 7, must be a nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

22. 041492 [Appropriate funding from the Department of Human Services to increase available funding in the Department of Public Health for self-help services to the homeless]
Supervisor Daly
Ordinance appropriating \$283,809 from the Department of Human Services to fund peer based self-help services for chronically homeless people in the Tenderloin for the Department of Public Health for fiscal year 2004-2005.
(Fiscal impact.)

12/14/2004. AMENDED. Amended by replacing "funding from General Fund Reserve" with "from the Department of Human Services". New Title.

12/14/2004. PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

23. 041588 [License Fees]
Supervisor Daly
Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, and 249.12, relating to fees for licenses or permits for inspections by the Department of Public Health.

12/14/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

24. 041067 [Amending Planning Code Section 703.3 to designate formula retail uses as a conditional use in the Haight Street Neighborhood Commercial District]
Supervisors Gonzalez, Daly
Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Haight Street Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/14/2004. PASSED ON FIRST READING. Supervisor Daly requested to be added as co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

25. 041664 [Hunters Point Shipyard - Health Code - Fees]

Ordinance amending the Health Code by adding section 3108 to authorize the Department of Public Health to charge fees to defray the costs of implementation of Article 31 of the Health Code and making environmental findings.

12/14/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

26. 041665 [Hunters Point Shipyard - Subdivision Code - Fees]

Ordinance amending the San Francisco Subdivision Code by adding Sections 1615, 1649, and 1664(e) to establish fees to defray the costs of implementation of Subdivision Code, Division 3, Articles 1-8 and making environmental findings.

12/14/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

27. 040559 [Waiver of payment for additional police services]
Supervisors Maxwell, Dufty
Ordinance waiving payment of additional police services incurred by Black Diamond Dynasty for the production of the 2002 Juneteenth Festival pursuant to Article 10B.2 of the Administrative Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 041350 [Amending and Adding to Section 184.78 of the Public Works Code Regarding Banners]
Supervisors Ma, Dufty
Ordinance amending and adding to Section 184.78 of the Public Works Code make findings as to the purposes served by banners, to create five categories of permitted banners, to generally prohibit banners in residential districts, to restrict banners in certain neighborhood commercial and residential commercial districts, to require installer name and service phone numbers on all banners, to provide for processing and inspection fees for banner permits, to index those fees, beginning in fiscal year 2005-2006, to the Consumer Price Index, to provide appropriate penalties for violations of Section 184.78, and to provide that bonds may be required to be posted prior to receipt of a banner permit.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Dufty, Ma

29. 041494 [Humane Treatment of all Companion Dogs]
Supervisor Dufty
Ordinance amending the San Francisco Health Code by amending sections 41.12 and 41.13 to insure the humane treatment of all companion dogs including sentry and guard dogs throughout the City and County of San Francisco by instituting shelter, water, feeding and confinement standards.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 041554 [Amending Health Code Section 42.3 to authorize hearing officer to prohibit owner of a dog declared vicious and dangerous from owning dogs for three years]
Supervisor Dufty
Ordinance amending San Francisco Health Code Section 42.3, to add the authority of a hearing officer to prohibit the owner of a vicious dog from owning dogs for a period of three years.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 31. 041555 [Creating requirement to exchange identification information when dog involved in bite of human or animal]**

Supervisor Dufty

Ordinance amending San Francisco Health Code by adding Section 39 to create requirement of exchange of identification and rabies information after a dog bites a human or animal and by amending Section 41.11 by moving requirement of dog bite reporting to Section 39.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Dufty, Ma, Elsbernd

- 32. 040213 [Community Audit for the Southeast neighborhoods in San Francisco]**

Supervisor Dufty

Resolution requesting the City Controller to initiate a Community Audit addressing needs in the Southeast sector, to consider, document and evaluate community needs as well as do an assessment of community benefit programs, capacity building, City services and City-funded programs.

Question: Shall this Resolution be ADOPTED?

- 33. 041160 [Liquor License, 371-373 Broadway]**

Resolution disapproving the request for the issuance of a Type 48 on-sale general public premises liquor license to David Seto for Seto Enterprises Inc., located at 371-373 Broadway (District 3), and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

(City Services Committee)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

- 34. 040731 [Conduct a Nexus Study On Imposition of the Park Fee on Uses Other Than Office On Geographic Areas of the City Other than C-3 Use Districts]**

Supervisor Peskin

Ordinance amending Planning Code Section 139 to provide that \$100,000 of Downtown Special Park Fund monies shall be used to fund a nexus study, under the direction of the General Manager of the Recreation and Park Department, to examine whether the Downtown Park Fee should be imposed on uses other than office and on geographic areas of the City other than C-3 use districts, prohibiting use of Downtown Park Fee monies on improvements for Ferry Park until that nexus study is completed unless use of such monies is approved by a financial committee of the Board of Supervisor, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 041351 [Contract for Electric Services]**Supervisor Ma**

Ordinance approving two contracts between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for electric services required to ensure reliable delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving indemnifying and holding harmless the United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.19 of the San Francisco administrative code that every contract contain a statement regarding guaranteed maximum costs.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 041467 [Extending Redevelopment Agency's Times for Incurring and Repaying Debt for Affordable Housing Development]**Supervisor Daly**

Ordinance approving, for the redevelopment plans listed below, the extension of existing time limits in each plan for establishment of loans, advances and indebtedness and for repayment of indebtedness for the exclusive purpose of financing Low and Moderate Income Housing Fund activities: (1) the Embarcadero-Lower Market (Golden Gateway) Redevelopment Plan, (2) the Hunters Point Redevelopment Plan, (3) the India Basin Industrial Park Redevelopment Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 041584 [Appropriate settlement funds to fund the development costs associated with the San Francisco Electrical Reliability Project]**Mayor**

Ordinance appropriating \$2,666,667 of fund balance from the Hetch Hetchy estimated revenues from the litigation settlement against The Williams Companies, Inc. and Williams Marketing Energy Marketing & Trading Company to the San Francisco Electrical Reliability Project for fiscal year 2004-05. Appropriated funds will facilitate the development costs related to the City power plants.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 041630 [Eliminating the Office of Emergency Services Revolving Fund.]**Supervisor Ma**

Ordinance amending the San Francisco Administrative Code by repealing Section 10.142, to eliminate the Office of Emergency Services Revolving Fund.

(Emergency Communications Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 041169 [Municipal Railway Professional Services Contract CS-123, Amendment No. 7]
Resolution authorizing the Director of Transportation to execute an amended version of Amendment No. 7 to San Francisco Municipal Railway Contract No. CS-123, Professional Design and Construction Support Services for Muni Metro Third Street Light Rail Project, with WPK Third Street Consultants, for additional construction support services, for an amount not to exceed \$675,000, and a total contract amount not to exceed \$10,806,206, and to extend the contract for one year.
(Municipal Transportation Agency)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

40. 041151 [Ellis Act amendments by California Legislature: expand residential tenant relocation payment eligibility where units are withdrawn from rental market under Ellis; prohibit owner withdrawal of specified residential hotel units from rental market]
Supervisors Peskin, Ammiano, McGoldrick, Gonzalez, Daly
Ordinance implementing recent California State Legislature amendments of the Ellis Act (California Government Code §§7060 et seq., see §§7060 and 7060.1), by amending the San Francisco Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) at Sections 37.9(a)(13) and 37.9A(e) to provide that: when residential units are withdrawn from the rental market pursuant to the Ellis Act, each tenant who is relocated is entitled to a payment of \$4,500 up to a maximum total per unit of \$13,500 (37.9A(e)), for tenants who reside in their units on or after August 10, 2004, with these payment amounts to increase annually commencing March 1, 2005 according to the "rent of primary residence" expenditure category of the Consumer Price Index (CPI) for the preceding 12 months; and, owners may not withdraw defined residential hotel units from the rental market pursuant to the Ellis Act if the hotel's occupancy permit was issued prior to January 1, 1990, and if the hotel did not file a notice of intent prior to January 1, 2004 to withdraw the units from the rental market (Section 37.9(a)(13)). Also amending Section 37.9A(e) to provide that the existing additional relocation payment of \$3,000 to each senior (62 or older) or disabled tenant displaced when residential units are withdrawn from the rental market pursuant to the Ellis Act will likewise increase annually commencing March 1, 2005 according to the "rent of primary residence" expenditure category of the CPI for the preceding calendar year (see Section 37.9A(e)(3)(D)).

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

41. 041671 **[Appointment - Golden Gate Bridge, Highway and Transportation District]**
Resolution appointing Supervisor Bevan Dufty, term ending January 31, 2005, to the Board of Directors, the Golden Gate Bridge, Highway and Transportation District.
Supervisor Bevan Dufty, succeeding Supervisor Michela Alioto-Pier, resigned, seat 5, must be member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2005.

Question: Shall this Resolution be ADOPTED?

42. 041674 **[Appointment - Bay Area Air Quality Management District Board of Directors]**
Resolution appointing Supervisor Jake McGoldrick, term ending February 1, 2009, to the Bay Area Air Quality Management District Board of Directors.
Supervisor Jake McGoldrick, succeeding himself, term expiring February 1, 2005, seat 1, must be a member of the Board of Supervisors, for a new four-year term ending February 1, 2009.

Question: Shall this Resolution be ADOPTED?

CALLED FROM COMMITTEE

43. **040329** **[Conditional approval of an historical property contract for 690 Market Street - The Chronicle Building]**

Resolution under Chapter 71 of the San Francisco Administrative Code, conditionally approving an historical property contract between 690 HTC LLC and 690B LLC, the owners of conditional landmark No. 243 at 690 Market Street and the City and County of San Francisco, conditionally authorizing the Director of Planning and the Assessor to execute the historical property contract.

12/14/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Peskin called this measure from the Finance and Audits Committee for Board consideration on January 4, 2005.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

44. 041641 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 329 Bay Street]

Hearing of persons interested in or objecting to the decision of the Planning Department, approving a Final Mitigated Negative Declaration (Case No. 2003.1152E) adopted and issued on June 22, 2004, for the proposed demolition of an existing one-story, 8,550, square-foot retail building, and the construction an approximately 39,000 gross-square-foot, four-story building consisting of 21 dwelling units, approximately 2,000 gross square feet of retail space, and 21 below-grade parking spaces. The rectangular-shaped project site is on the south side of Bay Street within the City block bounded by Bay, Powell, Francisco, and Mason Streets (bisected east-west by Vandewater Street). The site is in the North Beach area of San Francisco, located at 329 Bay Street, on Assessor's Block 41, Lot 36.

The basis for the appeal is the proposed removal of the existing tree (40 year-old Blackwood Acacia, *Acacia melanoxylon*) on the Vandewater Street during construction. (Appellants: Arthur Chang, Katherine Petrin, and Carolyn Blair.)

(Appeal filed November 29, 2004 by Arthur Chang, Katherine Petrin, and Carolyn Blair; companion measure to Files 041642, 041643, 041644, 041716, 041717, 041718; District 3.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

45. 041642 **[Finding appeal of the negative declaration for 329 Bay Street untimely]**
Motion finding the appeal of the negative declaration issued on June 22, 2004 for 329 Bay Street not timely filed.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
46. 041643 **[Finding negative declaration appeal of 329 Bay St. timely]**
Motion finding the appeal of the negative declaration issued on June 22, 2004, for 329 Bay Street timely filed.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
47. 041644 **[Preparation of findings related to the timeliness of the negative declaration appeal for 329 Bay Street]**
Motion directing the Clerk of the Board to prepare findings related to the timeliness of the negative declaration appeal for 329 Bay Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be adopted.)

48. 041716 **[Affirm approval of the negative declaration for 329 Bay Street]**
Motion affirming Planning Department adoption of the final negative declaration for 329 Bay Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
49. 041717 **[Reversing approval of the negative declaration for 329 Bay Street]**
Motion reversing the Planning Department approval of the final negative declaration for 329 Bay Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
50. 041718 **[Preparation of findings to reverse approval of the negative declaration for 329 Bay Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Department approval of the negative declaration for 329 Bay Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.**51. 041636 [Public Hearing - Appeal, Conditional Use - 100 Felton Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission its Motion No.16877 dated October 28, 2004, Case No. 2004.0141C, approving a conditional use authorization pursuant to Planning Code Section 209.6(b) to allow the installation of a wireless telecommunications facility consisting of 6 panel antennas on an existing church and related equipment directly below in the attic as part of Cingular's wireless telecommunications network within a RH-2 (Residential-Two Family) Zoning District and a 40-X Height and Bulk District, located at 100 Felton Street, northwest corner of Girard Avenue and Felton Street; Lot 013 in Assessor's Block 5926. (Appellant: Dwayne Jusino)

(Appeal filed November 29, 2004 by Dwayne Jusino; companion measure to Files 041637, 041638, 041639, District 3.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**52. 041637 [Appeal, Conditional Use - 100 Felton Street]**

Motion approving decision of the Planning Commission by its Motion No.16877, approving Conditional Use Application No. 2004.0141C on property located at 100 Felton Street, and adopting findings pursuant to Planning Code Section 101.1.

Question: Shall this Motion be APPROVED?

53. 041638 [Appeal, Conditional Use - 100 Felton Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16877, approving Conditional Use Application No. 2004.0141C on property located at 100 Felton Street.

Question: Shall this Motion be APPROVED?

54. 041639 [Findings - 100 Felton Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0141C on property located at 100 Felton Street, for action by the Board at its next meeting.

Question: Shall this Motion be APPROVED?

55. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

56. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 57 through 69

57. 041729 [Urging transfer of Public Defender employees to California Public Employees' Retirement System]
Supervisor Gonzalez
Resolution urging negotiation of agreement to transfer Assistant District Attorneys, Deputy Public Defenders and Investigators employed by the Public Defender from the San Francisco City Employee Retirement System to the California Public Employees' Retirement System.

12/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
58. 041736 [Amending Declaration of November 2, 2004 Election Results]
Supervisor Gonzalez
Resolution amending Resolution No. 735-04, which declared the results of the November 2, 2004 Consolidated General Election, to include results of uncontested races.

12/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
59. 041738 [Emergency Disadvantaged Business Enterprise Program – January 25, 2005, Committee of the Whole]
Supervisor Ammiano
Motion for the Board of Supervisors to convene as a committee of the whole on January 25, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

12/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

60. 041746 **[Accept-Expend Federal Grant]**
Mayor, Supervisor Dufty
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$989,477 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of integrating the case management system for the JUSTIS Project. The new system will integrate the case management systems serving the Police, Sheriff, District Attorney, Public Defender, Adult Probation and the Superior Court. It will make the sharing of information within the criminal justice community easier, more efficient and accurate.
- 12/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
61. 041756 **[Early Retirement of City Employees]**
Supervisors Ammiano, Dufty
Resolution urging the Mayor to utilize cost savings accrued through the early retirement of fifty (50) City employees through the Early Retirement Program established by Proposition "F" in 2003 to maintain current Recreation and Parks Directors, Senior Escort Employees and Environmental Control Officers.
- 12/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
62. 041757 **[Urging the implementation of measures to prevent the consumption of lead tainted candy by children in San Francisco]**
Supervisors Ammiano, Dufty
Resolution urging the United States Food and Drug Administration, the California Department of Health Services, and the San Francisco Department of Public Health to implement measures to prevent the consumption of lead tainted candy by children in San Francisco.
- 12/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
63. 041758 **[Appointing Youth to the Library Commission]**
Supervisor Daly
Resolution urging the Mayor to stand by his commitment to the youth of San Francisco by appointing youth to the Library Commission.
- 12/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
64. 041760 **[Commending Health District Environmental Health Inspectors]**
Supervisor Peskin
Resolution commending Health District Four Health Inspectors for their dedication and commitment to ensuring safe and healthy living and working environments for San Franciscans living in Chinatown, Fisherman's Wharf, North Beach and the Financial District.
- 12/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

65. 041761 [Opposing the Assembly Constitutional Amendment Bill 5]
Supervisor Sandoval
Resolution opposing Assembly Constitutional Amendment Bill 5, regarding benefit plans for union workers.

12/14/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
66. 041762 [Accept-Expend Federal/State Grant – Victim/ Witness Assistance Program]
Supervisors Alioto-Pier, Dufty
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$90,654 through the Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Violence Against Women Vertical Prosecution Program."

12/14/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
67. 041743 [Approving temporary modification to the Legislative Chamber Seating for the President and the Clerk of the Board to accommodate accessibility]
Supervisor Alioto-Pier
Motion approving temporary modification to the Legislative Chamber seating for the President and the Clerk of the Board to accommodate accessibility.

12/14/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING to Rules Committee.
Question: Shall this Motion be APPROVED?
68. 041754 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

12/14/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
69. 041755 [Emergency Declaration Concurrence – Influenza Vaccine]
Mayor
Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

12/14/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

70. IMPERATIVE AGENDA

Resolution(s); if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 7, 2004 through December 27, 2004, for reference by President to appropriate committee on January 4, 2005.

041724 [Payment of Reward to two Jane Does]

Ordinance authorizing payment of a \$10,000.00 reward to be split amongst two Jane Does for supplying information leading to the arrest and conviction of the perpetrator responsible for the death of Rihibi Hussein.

12/8/2004, RECEIVED AND ASSIGNED to Rules Committee.

041725 [Parking Violation Penalties]

Ordinance amending San Francisco Traffic Code Sections 32, 32.1, 32.1.1 through 32.1.7, 32.1.9, 32.1.10, 32.1.11, 32.2, 32.2.1, 32.2.2, 32.2.3, 32.3, 32.3.1, 32.5, 32.6.1, 32.6.2, 32.6.3, 32.6.5, 32.6.6, 32.6.7, 32.6.8, 32.6.10, 32.6.11, 32.6.12, 32.6.13, 32.6.14, 32.6.16 through 32.6.29, 32.20, 210, and 412 regarding penalties for parking violations and authorizing the setting of specific penalties for parking violations through a schedule of fines approved by ordinance of the Board of Supervisors.

(Municipal Transportation Agency)

12/13/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041730 [Settlement of Lawsuit - Jenny McGrorey]

Ordinance authorizing settlement of the lawsuit filed by against the City and County of San Francisco for \$38,000; the lawsuit was filed on October 5, 2001 in San Francisco Superior Court, Case No. 325-198; entitled Jenny McGrorey, et al., v. City and County of San Francisco, et al.
(City Attorney)

12/22/2004, RECEIVED AND ASSIGNED to Rules Committee.

041731 [Settlement of Lawsuit - Altec Industries, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Altec Industries, Inc. against the City and County of San Francisco for \$45,000; the lawsuit was filed on October 30, 2003 in San Francisco Superior Court, Case No. 425-937; entitled Altec Industries, Inc. v. City and County of San Francisco.
(City Attorney)

12/22/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 7, 2004 through December 27, 2004, for reference by President to appropriate committee on January 4, 2005.

041640 [Prop J Certification, Status Offender Shelter and Intake Services]

Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.
(Juvenile Probation Department)

12/7/2004, RECEIVED AND ASSIGNED to City Services Committee.

12/27/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

041726 [Accept-Expend State Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$150,000 from the California Department of Justice, Antitrust Law Section, for the purpose of launching a new certified farmers' market in Bayview Hunters Point and providing nutrition education to community residents.
(Environment)

12/10/2004, RECEIVED AND ASSIGNED to City Services Committee.

041727 [Accept and Expend Grant - Sheriff's Department program providing family literacy services for incarcerated mothers and their children in the county jail and after their release]

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$30,000 from the Zellerbach Family Foundation for providing family literacy services to mothers incarcerated in the county jail and their children.
(Sheriff)

12/15/2004, RECEIVED AND ASSIGNED to City Services Committee.

12/17/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

041728 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

18th and Tennessee Streets, stopping 18th Street at Tennessee Street, making this intersection an All-Way STOP; and

Colin P. Kelly, Jr. Street and Brannan Street, stopping Colin P. Kelly, Jr. Street at Brannan Street, the stem of this T-intersection.

(12/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2921.)

12/16/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041732 [Settlement of Grievance - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]

Resolution approving the settlement of the grievance (ERD No. 40-03-1142) filed by United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union") on behalf of Grievants, as identified in Exhibit A attached hereto, against the City and County of San Francisco for \$109,270.76. Other material term of said settlement is that Grievants and Union shall release all claims relating to the aforementioned grievance (ERD No. 40-03-1142). (City Attorney)

12/22/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041737 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - ESTABLISH

Southbound Hawes, Ingalls, and Jennings Streets at Ingerson Avenue

NO LEFT TURN, TAXIS EXEMPT, EXCEPT 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND

NO LEFT TURN, EXCEPT BUSES AND TAXIS - ESTABLISH

Mission Street, westbound, at 1st, 4th and 10th Streets; and

Mission Street, eastbound, at Fremont, 2nd, 3rd, 5th, 6th and 7th Streets.

(Parking and Traffic Department)

(12/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2921.)

12/16/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041719 [BART Payment for MUNI Transfer Trips]

Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2004-2005. (Municipal Transportation Agency)

12/23/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050036 [Petitions and Communications]

Petitions and Communications received from December 7, 2004 through December 27, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 4, 2005.

From concerned citizens, submitting opposition to proposed cuts to the San Francisco Convention and Visitors Bureau including the Ballet, Opera and Symphony. Files 041712, 041585, Copy: Budget Committee, Approximately 150 letters (1)

From Department of Human Resources, submitting quarterly report pursuant to Annual Appropriation Ordinance, Section 23 in fiscal year 2004-05. (2)

From Luce, Forward LLP, submitting opposition to appeal of issuance of Certificate of Determination of Exemption/Exclusion from Environmental Review for property located at 1730-1750 Van Ness Avenue. File 041275, Copy: Each Supervisor (3)

From Department of Elections, regarding the successful completion of the first Ranked-Choice Election and planning for a possible Special Election in Spring 2005. Copy: Each Supervisor (4)

From Office of the Controller, submitting an audit report of the International Society for Krishna Consciousness of the Bay Area, Inc. (5)

From Office of the Controller, submitting an audit report of the Gayatri Foundation. (6)

From Supervisor Daly, submitting copy of letter sent to Mayor Newsom expressing his disapproval of the Mayor's proposed \$15.5 million in cuts to the Department of Public Health. (7)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (8)

From Office of the Controller, regarding Juvenile Probation hiring practices. (Reference No. 20041116-002) Copy: Supervisor Sandoval (9)

From Marianne Hampton, commenting on a Planning Commission meeting held on November 29, 2004 regarding affordable housing. Copy: Each Supervisor (10)

From Law Offices of Stephen Williams, submitting request for continuance of a Certificate of Exemption appeal for proposed project at 1730-1750 Van Ness Avenue. File 041275, Copy: Each Supervisor (11)

From Office of the Treasurer, submitting the Cash Difference and Overage Fund balance and activities reported for the period ending November 30, 2004. (12)

From Department of Parking and Traffic, regarding on-street parking on Fulton Street and Lincoln Way. (13)

From Recreation and Parks Department, concerning the Request for Proposal process for the new lease of Gleneagles Golf Course. (Reference No. 20041116-003) Copy: Supervisor Sandoval (14)

From Farella Braun & Martel LLP, submitting request for continuance of a Conditional Use appeal for proposed project at 829 Folsom Street. File 041652, Copy: Each Supervisor (15)

From St. Luke's Hospital, responding to questions raised concerning St. Luke's Hospital financial performance, provision of charity care and programs and capital investments during the December 2, 2004 hearing concerning the healthcare worker lockout. File 041600 (16)

From S.F. Odd Fellows Hall Association, Inc., urging the Board to do what it can to rid the sidewalk

From Russ Potter, submitting opposition to proposed legislation for interim zoning controls in the Haight Ashbury district. File 041067, Copy Each Supervisor (33)

From SFO Enterprises, Inc., regarding the sale of SFO Enterprises' interest in the Honduras airport project to YVR Airport Services (Vancouver Airport). (34)

From Immigrant Rights Commission, submitting resignation letter for Commissioner Jose Bondoc from the Immigrant Rights Commission. Copy: Rules Committee (35)

From Real Estate Division, submitting a summary of the Real Estate Division's efforts made to renew the lease at 1760 Ocean Avenue on behalf of the Health Department for use as the OMI Family Center. (36)

From Clerk of the Board, submitting copy of letter sent to Ms. Pinky Kushner with letter from the City Attorney's Office regarding Golden Gate Park. (37)

Number not used. (38)

From Office of the Legislative Analyst, submitting report regarding the feasibility of changing the speed limit on the section of State Highway 1 that passes through San Francisco (also known as 19th Avenue). (39)

From Supervisor Gonzalez, submitting the reappointment of Supervisor Sandoval to the San Francisco Retirement Board, effective immediately. Copy: Each Supervisor, Rules Clerk (40)

From various signatories, submitting Form 700 Statement of Economic Interests:

Tina Tom, Assistant to Supervisor Chris Daly

Donna Hall, Sunshine Ordinance Task Force Administrator

Cassandra Costello, Legislative Assistant to Supervisor Jake McGoldrick

Darcy Brown, Legislative Assistant to Supervisor Sandoval (41)

From Ethics Commission, submitting support for Campaign Finance Reform Ordinance. Files 041395 and 041456 (42)

From Abdallah Megahed, thanking everyone involved who helped by donating and/or serving holiday meals to the homeless during the holidays. 2 letters (43)

From concerned citizens, regarding renaming the "Bay Bridge" the "Emperor Norton Bridge." File 041618, Copy: Each Supervisor (44)

From Citizens' General Obligation Bond Oversight Committee, submitting copy of letter sent to President, S.F. Unified School District Board of Education regarding the expenditure of general obligation bond proceeds. (45)

From Eli Merritt, regarding the problem with garbage and a lack of cleanliness in Dolores Park. (46)

From concerned citizens, submitting opposition to proposal to ban handguns in San Francisco. Copy: Each Supervisor (47)

From Department of Public Health, submitting the 2004 Title XV evaluation report for each of the detention facilities in San Francisco. (48)

From Citizens' General Obligation Bond Oversight Committee, submitting annual report from the Citizens' General Obligation Bond Oversight Committee for 2004. Copy: Each Supervisor (49)

From Wilfried Glabach, thanking the Board of Supervisors for legislation urging CBS and NBC to rescind their decisions to reject airing of the UCC ads promoting tolerance and acceptance. (50)

From Liberty Hill Neighborhood Association, regarding street lighting in the Liberty Hill Historic District. Copy: Each Supervisor (51)

From U.S. Fish and Wildlife Service, submitting notice that comments and suggestions from the public and all interested parties concerning the Western Snowy Plover proposal is hereby solicited and further information can be found on the web at <http://sacramento.fws.gov>. The comment period will close on February 15, 2005. (52)

From Planning Department, regarding appeal of the final mitigated negative declaration for 329 Bay Street. File 041641, Copy: Each Supervisor (53)

From PUC, regarding purchase of food and beverage products by the Department. (Reference No. 20040914-048) Copy: Supervisor Peskin (54)

From Budget Analyst, submitting copy of management audit of the Public Utilities Commission. Hetch Hetchy Enterprise Fund. (55)

From Gary Marsh, commenting that the Fire Department has done a wonderful job teaching the Neighborhood Emergency Response Team (NERT) program. (56)

From Asian Art Museum, submitting the Efficiency Plan for the Asian Art Museum for fiscal year 2005-06. (57)

From Community Alliance of Portola-Silver Terrace, submitting opposition to conditional use authorization that allows the installation of Cingular Wireless cellular antennas at 100 Felton Street. File 041636, Copy: Each Supervisor (58)

From Redevelopment Agency, regarding waiver related to certain hearing requirements of Section 33433 of the California Health and Safety Code for single-family homes, provided that the Agency file a report with the legislative body summarizing the relevant transactions for the prior fiscal year. File 040503, Copy: Each Supervisor (59)

From Recreation and Park Commission, submitting Rules of Order for the Recreation and Park Commission. (60)

From S.F. War Memorial and Performing Arts Center, submitting report concerning the War Memorial Veterans Building Life Safety Study. (61)

From Board of Appeals, submitting the Board of Appeals' Efficiency Plan for 2004. (62)

From Law Offices of David Cincotta, requesting the Board deny the appeal of final mitigated negative declaration for 329 Bay Street. File 041641, Copy: Each Supervisor (63)

From Friends of Vandewater Street, regarding appeal of final mitigated negative declaration at 329 Bay Street. File 041641 (64)

From Department of Public Works, submitting notice that appellants' signatures with respect to 829 Folsom Street represent owners of more than 20% of the area involved and is therefore sufficient for appeal. File 041652 (65)

From Redevelopment Agency, thanking Supervisor Daly for sponsoring the one year extension of the Yerba Buena Redevelopment Plan. File 041466 (66)

From Redevelopment Agency, thanking Supervisor Daly for sponsoring legislation that would amend the Embarcadero-Lower Market Redevelopment Plan to implement Senate bill 2113. File 041467 (67)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Saturday, January 8, 2005 12:00 PM

DEC 30 2004

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Special Inaugural Meeting

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, AARON PESKIN,
GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Wynn

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier

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2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

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ROLL CALL

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

(a) From Director of Elections, certifying the candidates for the office of Member of the Board of Supervisors who received a plurality of votes cast at the election held on November 2, 2004, who, therefore, have been declared elected to that office, namely:

Michela Alioto-Pier
Tom Ammiano
Sean Elsbernd
Jake McGoldrick
Ross Mirkarimi
Aaron Peskin
Gerardo Sandoval

(b) From the Controller: Filing or renewing of official bonds for Members of the Board of Supervisors:

Michela Alioto-Pier
Tom Ammiano
Sean Elsbernd
Jake McGoldrick
Ross Mirkarimi
Aaron Peskin
Gerardo Sandoval

OATH OF OFFICE

The Clerk of the Board introduces the Honorable Robert Dondero, Presiding Judge, San Francisco Superior Court.

ELECTION OF THE PRESIDENT OF THE BOARD

- (a) Nominations
- (b) Public Comment

President designates Members of the Board to escort him/her to the rostrum.

REMARKS FROM MAYOR

President introduces the Honorable Mayor Gavin Newsom and affords an opportunity for brief remarks.

ROLL CALL

President introduces each Board Member and affords an opportunity for brief remarks and for introduction of family members in attendance.

REMARKS BY PRESIDENT OF THE BOARD

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF PUBLIC HEARING
SAN FRANCISCO BOARD OF SUPERVISORS
CITY HALL, LEGISLATIVE CHAMBERS
Tuesday, January 11, 2005 – 3:00 P.M.

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Section 8320 of the Streets and Highway Code, that the Board of Supervisors will hold a public hearing on **Tuesday January 11, 2005, at 3:00 p.m.**, in Legislative Chambers at City Hall, at 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the proposed vacation of portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Galvez Street in Hunters Point Shipyard Parcel "A1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard (SUR Map No. 8004, 9004, 10004, 11004, and 12004 dated December 1, 2004) a copy of which is on file in the office of the Clerk of the Board of Supervisors.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.


Gloria L. Young, Clerk of the Board

DOCUMENTS DEPT.

DEC 20 2004

SAN FRANCISCO
PUBLIC LIBRARY

12-20-04 11:31 AM

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JAN - 7 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, January 11, 2005 2:00 PM

Regular Meeting

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA. SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, AARON PESKIN,
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ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 17

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

1. 040559 [Waiver of payment for additional police services]
Supervisors Maxwell, Dufty
Ordinance waiving payment of additional police services incurred by Black Diamond Dynasty for the production of the 2002 Juneteenth Festival pursuant to Article 10B.2 of the Administrative Code.

1/4/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. **041554** [Amending Health Code Section 42.3 to authorize hearing officer to prohibit owner of a dog declared vicious and dangerous from owning dogs for three years]

Supervisor Duffy

Ordinance amending San Francisco Health Code Section 42.3, to add the authority of a hearing officer to prohibit the owner of a vicious dog from owning dogs for a period of three years.

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **041555** [Creating requirement to exchange identification information when dog involved in bite of human or animal]

Supervisor Duffy

Ordinance amending San Francisco Health Code by adding Section 39 to create requirement of exchange of identification and rabies information after a dog bites a human or animal and by amending Section 41.11 by moving requirement of dog bite reporting to Section 39.

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

4. **040731** [Conduct a Nexus Study On Imposition of the Park Fee on Uses Other Than Office On Geographic Areas of the City Other than C-3 Use Districts]

Supervisor Peskin

Ordinance amending Planning Code Section 139 to provide that \$100,000 of Downtown Special Park Fund monies shall be used to fund a nexus study, under the direction of the General Manager of the Recreation and Park Department, to examine whether the Downtown Park Fee should be imposed on uses other than office and on geographic areas of the City other than C-3 use districts, prohibiting use of Downtown Park Fee monies on improvements for Ferry Park until that nexus study is completed unless use of such monies is approved by a financial committee of the Board of Supervisor, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Mayor)

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 041351 [Contract for Electric Services]**Supervisor Ma**

Ordinance approving two contracts between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for electric services required to ensure reliable delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving indemnifying and holding harmless the United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.19 of the San Francisco administrative code that every contract contain a statement regarding guaranteed maximum costs.

(Fiscal impact.)

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 041467 [Extending Redevelopment Agency's Times for Incurring and Repaying Debt for Affordable Housing Development]**Supervisor Daly**

Ordinance approving, for the redevelopment plans listed below, the extension of existing time limits in each plan for establishment of loans, advances and indebtedness and for repayment of indebtedness for the exclusive purpose of financing Low and Moderate Income Housing Fund activities: (1) the Embarcadero-Lower Market (Golden Gateway) Redevelopment Plan, (2) the Hunters Point Redevelopment Plan, (3) the India Basin Industrial Park Redevelopment Plan.

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 041584 [Appropriate settlement funds to fund the development costs associated with the San Francisco Electrical Reliability Project]**Mayor**

Ordinance appropriating \$2,666,667 of fund balance from the Hetch Hetchy estimated revenues from the litigation settlement against The Williams Companies, Inc. and Williams Marketing Energy Marketing & Trading Company to the San Francisco Electrical Reliability Project for fiscal year 2004-05. Appropriated funds will facilitate the development costs related to the City power plants. (Fiscal impact.)

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 041630 [Eliminating the Office of Emergency Services Revolving Fund]**Supervisor Ma**

Ordinance amending the San Francisco Administrative Code by repealing Section 10.142, to eliminate the Office of Emergency Services Revolving Fund.
(Emergency Communications Department)

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

9. 041749 [Parking Regulations - Fell Street]

Supervisor Gonzalez

Resolution enacting parking regulations on a portion of Fell Street.

TOW-AWAY, NO STOPPING AT ANYTIME - ESTABLISH

Fell Street, south side, from 10 east of Masonic Avenue to 60 feet east of Masonic Avenue (50 foot zone).

(12/13/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

10. 041606 [Settlement of Lawsuit - Eugene Duffy]

Ordinance authorizing settlement of the lawsuit filed by Eugene Duffy against the City and County of San Francisco for \$30,000; the lawsuit was filed on June 13, 2003, in San Francisco Superior Court, Case No. 421395; entitled Eugene Duffy, et al., v. City and County of San Francisco, et al. (City Attorney)

1/4/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 041648 [Settlement of Lawsuit - Steve Potter]

Ordinance authorizing settlement of the lawsuit filed by Steve Potter against the City and County of San Francisco for \$50,000 paid to the City and County of San Francisco by Cross-Defendant OneBeacon; the lawsuit was filed on March 20, 2003 in the United States District Court, Case No. C03-1217 MEJ; entitled Steve Potter, et al., v. City and County of San Francisco, et al; other material terms of said settlement are Cross-Defendant OneBeacon will pay \$195,000 to plaintiff and plaintiff's counsel and \$100,000 to co-defendant Palace of Fine Arts Theater League. (City Attorney)

1/4/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Alioto-Pier,

12. 041659 [Settlement of Lawsuit - Linda Vaccarezza]

Ordinance authorizing settlement of the lawsuit filed by Linda Vaccarezza against the City and County of San Francisco for \$835,000; the lawsuit was filed on 3/12/04 in United States District Court, Case No. C04-1021; entitled Linda Vaccarezza v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 041663 [Settlement of Lawsuit - Quynh Le, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Quynh Le, Weston Ngo, Candance Phan and Candance Phan as Guardian Ad Litem of Geoffrey Ngo, a minor and Brittany Ngo, a minor against the City and County of San Francisco for a total payment of \$28,000.00; the lawsuit was filed on May 30, 2003 in San Francisco Superior Court, Case No. 420-933; entitled Quynh Le, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Alioto-Pier, Sandoval

14. 041772 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution retaining Janet Reilly, Sabrina Hernandez, Leah Shaum and Maryanne Harrison, for terms subject to review and affirmation by January 31, 2007, on the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

Janet Reilly, succeeding Janet Reilly, term expiring January 31, 2005, seat 1, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2007.

Sabrina Hernandez, succeeding Sabrina Hernandez, term expiring January 31, 2005, seat 2, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2007.

Leah Shahum, succeeding Leah Shahum, term expiring January 31, 2005, seat 3, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2007.

Maryanne Harrison, succeeding Maryanne Harrison, term expiring January 31, 2005, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

15. 041774 **[Appointment - Child Care Planning and Advisory Council]**
Resolution appointing Juanita Santana, term ending December 31, 2005, to the Child Care Planning and Advisory Council.
Juanita Santana, new appointment, seat 7, must be a nominee of District 7 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "community representative", for the unexpired portion of a three-year term ending December 31, 2005.

Question: Shall this Resolution be ADOPTED?

16. 041776 **[Appointment - Developmental Disabilities Area Board V]**
Resolution appointing Levi Nnaemeka, term ending December 31, 2007, to the Developmental Disabilities Area Board V.
Levi Nnaemeka, succeeding Levi Nnaemeka, term expired, seat 1, must represent general public, for a new three-year term ending December 31, 2007.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Alioto-Pier

17. 041777 **[Appointment - Bicycle Advisory Committee]**
Resolution appointing Gernado (Jerry) Ervin, term ending November 19, 2006, to the Bicycle Advisory Committee.
Gernado (Jerry) Ervin, succeeding Jerry Ervin, term expired, seat 8, must be a nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Duffy, Ma, Elsbernd

18. 041350 **[Amending and Adding to Section 184.78 of the Public Works Code Regarding Banners]
Supervisors Ma, Duffy**

Ordinance amending and adding to Section 184.78 of the Public Works Code make findings as to the purposes served by banners, to create five categories of permitted banners, to generally prohibit banners in residential districts, to require installer name and service phone numbers on all banners, to provide for processing and inspection fees for banner permits, to index those fees, beginning in fiscal year 2005-2006, to the Consumer Price Index, to provide appropriate penalties for violations of Section 184.78, and to provide that bonds may be required to be posted prior to receipt of a banner permit.

1/4/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

1/4/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Duffy, Ma

19. 041494 **[Humane Treatment of all Companion Dogs]
Supervisor Duffy**

Ordinance amending the San Francisco Health Code by amending sections 41.12 and 41.13 to insure the humane treatment of all companion dogs including sentry and guard dogs throughout the City and County of San Francisco by instituting shelter, water, feeding and confinement standards.

1/4/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

1/4/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

20. 041151 [Ellis Act amendments by California Legislature: expand residential tenant relocation payment eligibility where units are withdrawn from rental market under Ellis; prohibit owner withdrawal of specified residential hotel units from rental market]

Supervisors Peskin, Ammiano, McGoldrick, Gonzalez, Daly

Ordinance implementing recent California State Legislature amendments of the Ellis Act (California Government Code §§7060 et seq., see §§7060 and 7060.1), by amending the San Francisco Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) at Sections 37.9(a)(13) and 37.9A(e) to provide that: when residential units are withdrawn from the rental market pursuant to the Ellis Act, each tenant who is relocated is entitled to a payment of \$4,500 up to a maximum total per unit of \$13,500 (37.9A(e)), for tenants who reside in their units on or after August 10, 2004, with these payment amounts to increase annually commencing March 1, 2005 according to the "rent of primary residence" expenditure category of the Consumer Price Index (CPI) for the preceding 12 months; and, owners may not withdraw defined residential hotel units from the rental market pursuant to the Ellis Act if the hotel's occupancy permit was issued prior to January 1, 1990, and if the hotel did not file a notice of intent prior to January 1, 2004 to withdraw the units from the rental market (Section 37.9(a)(13)). Also amending Section 37.9A(e) to provide that the existing additional relocation payment of \$3,000 to each senior (62 or older) or disabled tenant displaced when residential units are withdrawn from the rental market pursuant to the Ellis Act will likewise increase annually commencing March 1, 2005 according to the "rent of primary residence" expenditure category of the CPI for the preceding calendar year (see Section 37.9A(e)(3)(D)).

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

21. 040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]

Supervisors McGoldrick, Alioto-Pier, Daly, Ammiano

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

10/19/2004, CONTINUED. Continued to November 2, 2004

11/2/2004, CONTINUED. Continued to December 7, 2004

Supervisor Ammiano requested to be added as a co-sponsor.

12/7/2004, CONTINUED. Continued to January 11, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

18. 041350 **[Amending and Adding to Section 184.78 of the Public Works Code Regarding Banners]
Supervisors Ma, Dufty**

Ordinance amending and adding to Section 184.78 of the Public Works Code make findings as to the purposes served by banners, to create five categories of permitted banners, to generally prohibit banners in residential districts, to require installer name and service phone numbers on all banners, to provide for processing and inspection fees for banner permits, to index those fees, beginning in fiscal year 2005-2006, to the Consumer Price Index, to provide appropriate penalties for violations of Section 184.78, and to provide that bonds may be required to be posted prior to receipt of a banner permit.

1/4/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

1/4/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Dufty, Ma

19. 041494 **[Humane Treatment of all Companion Dogs]
Supervisor Dufty**

Ordinance amending the San Francisco Health Code by amending sections 41.12 and 41.13 to insure the humane treatment of all companion dogs including sentry and guard dogs throughout the City and County of San Francisco by instituting shelter, water, feeding and confinement standards.

1/4/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

1/4/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

20. 041151 [Ellis Act amendments by California Legislature: expand residential tenant relocation payment eligibility where units are withdrawn from rental market under Ellis; prohibit owner withdrawal of specified residential hotel units from rental market]
Supervisors Peskin, Ammiano, McGoldrick, Gonzalez, Daly
Ordinance implementing recent California State Legislature amendments of the Ellis Act (California Government Code §§7060 et seq., see §§7060 and 7060.1), by amending the San Francisco Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) at Sections 37.9(a)(13) and 37.9A(e) to provide that: when residential units are withdrawn from the rental market pursuant to the Ellis Act, each tenant who is relocated is entitled to a payment of \$4,500 up to a maximum total per unit of \$13,500 (37.9A(e)), for tenants who reside in their units on or after August 10, 2004, with these payment amounts to increase annually commencing March 1, 2005 according to the "rent of primary residence" expenditure category of the Consumer Price Index (CPI) for the preceding 12 months; and, owners may not withdraw defined residential hotel units from the rental market pursuant to the Ellis Act if the hotel's occupancy permit was issued prior to January 1, 1990, and if the hotel did not file a notice of intent prior to January 1, 2004 to withdraw the units from the rental market (Section 37.9(a)(13)). Also amending Section 37.9A(e) to provide that the existing additional relocation payment of \$3,000 to each senior (62 or older) or disabled tenant displaced when residential units are withdrawn from the rental market pursuant to the Ellis Act will likewise increase annually commencing March 1, 2005 according to the "rent of primary residence" expenditure category of the CPI for the preceding calendar year (see Section 37.9A(e)(3)(D)).

1/4/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

21. 040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]
Supervisors McGoldrick, Alioto-Pier, Daly, Ammiano
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

10/19/2004, CONTINUED. Continued to November 2, 2004

11/2/2004, CONTINUED. Continued to December 7, 2004

Supervisor Ammiano requested to be added as a co-sponsor.

12/7/2004, CONTINUED. Continued to January 11, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 041579 [Charter Amendment Deadlines]**Supervisor Elsbernd**

Ordinance amending Section 305 of the Elections Code to require introduction of proposed Charter Amendments not less than 210 days prior to an election and to require an informational committee hearing regarding the proposed Charter Amendment no earlier than 30 days nor later than 60 days after introduction of the proposed Charter Amendment.

Supervisor Gonzalez dissented in Committee.

12/14/2004, CONTINUED. Continued to January 11, 2004

Question: Shall this Ordinance be **PASSED ON FIRST READING**?

CALLED FROM COMMITTEE

23. 040329 [Conditional approval of an historical property contract for the Chronicle Building Market Street - The Chronicle Building]

Resolution under Chapter 71 of the San Francisco Administrative Code, conditionally approving an historical property contract between 690 HTC LLC and 690B LLC, the owners of the existing Chronicle Building, a structure with an eleven story tower and adjoining sixteen story tower located at 690 Market Street, also known as conditional Landmark No. 243 and the City and County of San Francisco, conditionally authorizing the Director of Planning and the Assessor to execute an historical property contract at such time as the Chronicle Building becomes Landmark 243, the Board of Supervisors determines that the rehabilitation plan for the Chronicle Building has been completed, and the City is fully compensated for its time and material costs in processing and administering the application for an historical property contract for the Chronicle Building.

12/14/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Peskin called this measure from the Finance and Audits Committee for Board consideration on January 4, 2005.

1/4/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

1/4/2005, CONTINUED AS AMENDED. Continued to January 11, 2005

Question: Shall this Resolution be **ADOPTED**?

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

24. 041247 [Zoning Map Amendment for 418-420 Jessie Street]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 418-420 Jessie Street, situated on the north side of Jessie Street, 150 feet west of Fifth Street, and identified as Assessor's Block No. 3704, Lot No. 006, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 041629 [Changing the Official Sidewalk Width along Portions of Illinois Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1563 to change the official sidewalk widths from the intersection of Illinois and 25th Streets to the intersection of Illinois and Cesar Chavez Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 041657 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,976,400 of Section 115 funds from the Federal Transit Administration for the Municipal Railway's Radio System Replacement and Third Street Phase 1 construction projects, excluding administrative overhead costs.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

27. 041660 [Accept-Expend Federal Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$30,000 from the Environmental Protection Agency to develop the San Francisco Green Healthcare Working Group consisting of local healthcare professionals and to facilitate ongoing meetings to conduct hands-on training to its members on a broad range of pollution prevention and resource conservation strategies.
(Environment)

Question: Shall this Resolution be ADOPTED?

28. 041613 [Extends the due dates for a Community Choice Aggregation draft implementation plan and Request for Proposal to the Board of Supervisor by four months each]
 Supervisor Ammiano
 Motion approving the extension of the due dates for a Community Choice Aggregation draft implementation plan and a Request for Proposal to the Board of Supervisors as required under Ordinance No. 86-04 by four months each.

Question: Shall this Motion be APPROVED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

29. 041694 [Urging a new trial for Mumia Abu-Jamal]
 Supervisor Gonzalez
 Resolution urging a new trial for Mumia Abu-Jamal.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M**30. 041768 [Public Hearing - Hunters Point Shipyard Street Vacation]**

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Galvez Street in Hunters Point Shipyard Parcel "A1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including SBC, Pacific Gas and Electric Company, easement holders of record, and the City; accepting Department of Public Works Order No. 175,121; and authorizing official acts in connection with this Ordinance.
(Clerk of the Board)

Action: _____

From the Land Use Committee Without Recommendation

Present: Supervisors McGoldrick, Peskin, Maxwell

31. 041543 [Hunters Point Shipyard - Street Vacation Order]

Mayor, Supervisor Maxwell

Ordinance ordering the vacation of portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Galvez Street in Hunters Point Shipyard Parcel "A1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including SBC, Pacific Gas and Electric Company, easement holders of record and the City; accepting Department of Public Works Order No. 175,121; and authorizing official acts in connection with this Ordinance.

12/7/2004, CONTINUED. Continued to January 11, 2005 at 3:00 PM

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

32. 041652 [Public Hearing - Appeal, Conditional Use - 829 Folsom Street]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 16872 dated October 21, 2004, approving a conditional use authorization, Case No. 2003.0304C to: (1) Allow an 85-foot tall structure above the 40-foot base height under Planning Code Sections 263.11(b) and (e); (2) Allow dwelling units at a density greater than one unit per 200 square feet of lot area under Section 207.5; (3) Allow exceptions to the bulk limits of the 85-B Bulk District above 50 feet in height as stated in Planning Code Section 270 and pursuant to the Planning Code Section 271(a); (b) and (c); and (4) Provide off-street parking in excess of accessory amounts as defined in Planning Code Section 204.5 pursuant to Planning Code Section 157(a), (b), and (d). The site is within the RSD (Residential Service District), and is within a 40-X/85-B Height and Bulk District, and is subject to interim policies of the South of Market Housing/Mixed Use Overlay District per Resolution No. 16727, located at 829 Folsom Street, south side, between 4th and 5th Streets; Lot 091 in Assessor's Block 3752. (Appellant: Hope Whitney, Farella Braun + Martel LLP, representing Yerba Buena Lofts Homeowners' Association.)
(Filed 11/22/04; companion measure to Files 141653, 141654, 041655, 041656; District 6.)

12/14/2004, CONTINUED. Continued to January 11, 2005 at 4:00 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

33. **041653** **[Appeal, Conditional Use - 829 Folsom Street]**
Motion approving decision of the Planning Commission by its Motion No. 16872, approving Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 12/14/2004, CONTINUED. Continued to January 11, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?
34. **041654** **[Appeal, Conditional Use - 829 Folsom Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16872, approving Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street.
(Clerk of the Board)
- 12/14/2004, CONTINUED. Continued to January 11, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?
35. **041655** **[Findings - 829 Folsom Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street, for action by the Board at its next meeting.
(Clerk of the Board)
- 12/14/2004, CONTINUED. Continued to January 11, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?
36. **041656** **[Environmental Review - 829 Folsom Street]**
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 829 Folsom Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 12/14/2004, CONTINUED. Continued to January 11, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M

37. 041433 [Public Hearing]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

(Clerk of the Board)

Action: _____

38. 041434 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

(Public Works Department)

(DPW Order No. 175,026; Locations: 1990 California Street; 1306 Clayton Street.)

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item was considered by the City Services Committee at a Regular Meeting on Thursday, January 6, 2005 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, January 11, 2005.

39. 041726 [Accept-Expend State Grant]**Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$150,000 from the California Department of Justice, Antitrust Law Section, for the purpose of launching a new certified farmers' market in Bayview Hunters Point and providing nutrition education to community residents.
(Environment)

Question: Shall this Resolution be ADOPTED?

The following item was considered by the Land Use Committee at a Regular Meeting on Monday, January 10, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, January 11, 2005.

40. 041523 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

John Muir Drive, south side, from 50 feet east of the east property line of the Lakewood Apartments (end of angled parking) to Lake Merced Boulevard.

TOW-AWAY, NO PARKING, 10 PM to 6 AM EVERYDAY - ESTABLISH

John Muir Drive, north side, from 50 feet east of the east property line of the Lakewood Apartments (end of angled parking) to Lake Merced Boulevard.

(Parking and Traffic Department)

(11/05/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2904.)

Question: Shall this Resolution be ADOPTED?

41. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

42. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 43 through 53

43. 050002 [Grant Application - Department of the Environment]
Supervisor Alioto-Pier
Resolution authorizing the Department of the Environment to apply for a grant in the amount of \$350,000.00 from the Bay Area Air Quality Management District for the purpose of reducing emissions from solid waste collection vehicles.

1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
44. 050004 [Implementation of the State's Pierce's Disease Control Program]
Mayor
Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health Services (SFDPH/OEHS) to enter retroactively into an agreement with the State Department of Food and Agriculture (SDFA), and expend funds in the amount of \$63,887.65 to implement in San Francisco the SDFA Pierce's Disease Control Program; for the period of July 1, 2004 to June 30, 2005.

1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 050005 [Commending Carol Knight]
Supervisor Dufty
Resolution commending Carol Knight for her 34 years of service to the City and County of San Francisco.

1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
46. 050006 [Commending United California Practitioners of Chinese Medicine]
Supervisor Ma
Resolution commending United California Practitioners of Chinese Medicine on the occasion of their Tenth Board Installation Ceremony.

1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

- 47. 050009 [Accept-Expend Federal and State Grants]**
Supervisor Peskin
Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of \$780,675 and a state grant in the amount of \$101,145 from the Metropolitan Transportation Commission for the Stockton Street Tunnel Lighting and Pedestrian Improvements Project.
- 1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 48. 050019 [Honoring 32nd Anniversary of Roe v. Wade]**
Supervisors Ammiano, Dufty, Peskin, Alioto-Pier, Maxwell, Daly
Resolution recognizing January 22, 2005 as "Stand Up For Choice Day" in honor of the 32nd anniversary of the landmark 1973 United States Supreme Court decision of Roe v. Wade establishing a woman's constitutional right to decide when and if to have a child; and further supporting the local Pro-Choice community demonstrating in San Francisco to defend a woman's right to choose safe and legal abortion and birth control and further urging all legal authorities to fully facilitate the protection of the right of women to control their reproductive health, lives and futures in an ever-increasingly hostile anti-choice climate on the federal level and in state legislatures and courts throughout the country.
- 1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 49. 050026 [Honoring 31st Anniversary of the Synergy School]**
Supervisor Ammiano
Resolution recognizing the 31st Anniversary of the Synergy School and declaring February 12, 2005 as "Synergy School Day" in City and County of San Francisco.
- 1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 50. 050027 [Proclaiming January 15, 2005, Paul Boden Day in San Francisco]**
Supervisor Daly
Resolution proclaiming January 15, 2005 as Paul Boden Day.
- 1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 51. 050028 [Urging creation of Charles Campbell Day in San Francisco]**
Supervisor Gonzalez
Resolution urging creation of Charles Campbell Day in San Francisco.
- 1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

52. 050029 [Urging independent review of Professor Ignacio Chapela's tenure hearing]
Supervisor Gonzalez
Resolution urging review of University of California at Berkeley's procedures in denying the tenure of Professor Ignacio Chapela in light of his exposure of illegal dumping of GMO crops in Mexico by Monsanto Corporation.

1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 050030 [Lee Mallory Day]
Supervisor Peskin
Resolution proclaiming January 10, 2005 as Lee Mallory Day in San Francisco.

1/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

54. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 28, 2004 to January 3, 2005, for reference by President to appropriate committee on January 11, 2005.

041763 [Settlement of Lawsuit - Israel Flores]

Ordinance authorizing settlement of the lawsuit filed by Israel Flores against the City and County of San Francisco for \$85,000.00; the lawsuit was filed on September 18, 2003 in the United States District Court, Northern District, Case No. C03-4262 SBA; entitled Israel Flores v. City and County of San Francisco, et al; other material terms of said settlement are the City shall waive its lien in the amount of \$33,740.60, representing the value of medical services provided to Israel Flores for injuries sustained in the relevant incident.
(City Attorney)

12/29/2004, RECEIVED AND ASSIGNED to Rules Committee.

041764 [Settlement of Lawsuit - American Motorists Insurance Company]

Ordinance authorizing settlement of the lawsuit filed by American Motorists Insurance Company against the City and County of San Francisco for \$85,000; the lawsuit was filed on November 14, 2001 in San Francisco Superior Court, Case No. 401-290; entitled American Motorists Insurance Co., et al., v. City and County of San Francisco, et al.
(City Attorney)

12/29/2004, RECEIVED AND ASSIGNED to Rules Committee.

041767 [Zoning Map Amendment for 2350-19th Avenue]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco and changing the use classification of the property located at 2350-19th Avenue, and identified as Assessor's Block No. 2347, Lot No. 004G, from a zoning designation of P (Public) to RH-2 (Residential, House, Two-Family); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.
(Planning Department)

12/28/2004, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/10/2005.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 28, 2004 to January 3, 2005, for reference by President to appropriate committee on January 11, 2005.

041720 [Establishing Monthly Contribution Amount]

Resolution establishing monthly contribution amount to Health Service Trust Fund.
(Human Resources Department)

12/28/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041765 [Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2004-05]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2004-2005 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2004-2005. (Public Health Department)

041766 [Airport Concession Lease]

Resolution approving Amendment No. 5 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

12/30/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050042 [Petitions and Communications]

Petitions and Communications received from December 28, 2004 through January 3, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 11, 2005.

From Department of Public Works, regarding the placement of metal barriers in the Tenderloin District. (Reference No. 20041214-003) Copy: Supervisor Daly (1)

From Controller, Financial Audits Division, submitting report concerning the Statement of Cash and Investments of the Office of the Treasurer and Tax Collector as of September 30, 2004. (2)

From Building Inspection Commission, submitting support for proposed legislation regarding clarifications and technical corrections to work practices with lead-based disturbance and removal. File 041577, Copy: City Services Committee (3)

From James Chaffee, regarding the library administrations attempt to implement the "Collection Recovery Program" to use an outside collection agency to collect library fines, etc. (4)

From Controller, Financial Audits Division, submitting audit report of the Veterans of Foreign Wars 15th District, a charitable organization that registered with the Police Department to solicit funds for charitable purposes within the City and County of San Francisco. (5)

From Marvis Sutton, submitting opposition to raising fares on Muni for adults; and suggesting fares for students in high school and senior citizens that take Muni during commute hours be increased. (6)

From concerned citizens, submitting opposition to proposed ban on handguns in San Francisco. Copy: Each Supervisor (7)

From various signators, submitting Form 700 Statement of Economic Interests: James Dorenkott, Legislative Assistant to Supervisor Gonzalez (8)

From Municipal Transportation Agency, submitting overtime justification in accordance with Administrative Code Section 18.13-1. (9)

From SFO Enterprises, Inc. submitting a brief history of the City's formation of SFO Enterprises, Inc., the operation of SFO Enterprises, and the status of the winding up of the affairs of SFO Enterprises. (10)

From Office of the Mayor, designating Supervisor Elsbernd as Acting Mayor from 11:40 am, January 1 until 12:00 am January 5, 2005 and Supervisor Alioto-Pier as Acting Mayor from 12:00 am January 5 until 8:49 p.m., January 7, 2005. Copy: Each Supervisor (11)

From Department of Human Resources, submitting quarterly report of the classification audit process for the Management Classification and Compensation Plan. File 020404, Copy: Each Supervisor (12)

From Comcast Cable, submitting notice that the new franchise fee rate effective January 2005 will be 5.97%. (13)

From Raymond Jimmy, commenting on newspaper article entitled "Lofty plan for state capital skyline" in Sacramento, California. (14)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT

JAN 21 2005

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 25, 2005 2:00 PM

Regular Meeting

PRESIDENT, AARON PESKIN
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Minutes for December 14, 2004 and January 4, 2005.

AGENDA CHANGES -

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 22

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

1. 041640 [Prop J Certification, Status Offender Shelter and Intake Services]
Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.
(Juvenile Probation Department)

Question: Shall this Resolution be ADOPTED?

2. 041661 [Liquor License Transfer, 130 Church Street]
Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 130 Sixth Street to 130 Church Street (District 8) to Panaka, Vannida and Wathika Chea for Golden Product Extension will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
- Question: Shall this Resolution be ADOPTED?
3. 041765 [Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2004-05]
Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2004-2005 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2004-2005. (Public Health Department)
- Question: Shall this Resolution be ADOPTED?
- Present: Supervisors Duffy, Elsbernd
4. 041727 [Accept and Expend Grant - Sheriff's Department program providing family literacy services for incarcerated mothers and their children in the county jail and after their release]
Supervisor Duffy
Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$30,000 from the Zellerbach Family Foundation for providing family literacy services to mothers incarcerated in the county jail and their children.
(Sheriff)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

5. 041247 [Zoning Map Amendment for 418-420 Jessie Street]
Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 418-420 Jessie Street, situated on the north side of Jessie Street, 150 feet west of Fifth Street, and identified as Assessor's Block No. 3704, Lot No. 006, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.
- 1/11/2005, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

6. 041629 [Changing the Official Sidewalk Width along Portions of Illinois Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1563 to change the official sidewalk widths from the intersection of Illinois and 25th Streets to the intersection of Illinois and Cesar Chavez Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.
(Public Works Department)
- 1/11/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 041481 [STOP sign - Filbert Street Westbound at Powell Street]
Supervisor Peskin
Resolution designating the intersection of Filbert Street at Powell Street as a "STOP" intersection.
- 10/26/2004, REFERRED to Land Use Committee.
11/2/2004, REFERRED. 11/02/04 - Referred to Parking and Traffic for review and determination of environmental impact.
Question: Shall this Resolution be ADOPTED?
8. 041556 [Parking Regulations - Fitzgerald Avenue]
Supervisor Maxwell
Resolution enacting and rescinding parking regulations on the 1200 block of Fitzgerald Avenue.
- PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND
Fitzgerald Avenue, north side, from Jennings Street to Ingalls Street.
- Question: Shall this Resolution be ADOPTED?
9. 041631 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS - ESTABLISH
Walnut Street and Pacific Avenue, stopping northbound Walnut Street at Pacific Avenue, making this T-intersection an All-Way STOP; and
30th Avenue and Lake Street, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(11/29/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2912.)
- Question: Shall this Resolution be ADOPTED?

10. 041632 [Traffic Regulations]
 Supervisor Mirkarimi
 Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY LANE MUST TURN RIGHT, EXCEPT MUNI - ESTABLISH
Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

ONE-WAY STREET - ESTABLISH
Vandewater Street, westbound, between Mason and Powell Streets.

BICYCLE LANES – ESTABLISH
Fell Street, from Scott Street to Baker Street.
(Parking and Traffic Department)

(11/29/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2912.)

Question: Shall this Resolution be ADOPTED?

11. 041633

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING FROM 10 PM TO 6 AM - ESTABLISH
Florida Street terminus, north of 15th Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Florida Street, west side of the easterly divided roadway, from 210 feet south of 15th Street, northerly to a point 18 feet south of the roadway terminus.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
15th Street, north side, from Florida to Bryant Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING ESTABLISH
Florida Street terminus, north of 15th Street;

Van Dyke Avenue, north side, between Keith and Jennings Streets; and

Divisadero Street, both sides, from 240 feet north of 14th Street to 240 feet south of Duboce Avenue.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND
Lincoln Way, south side, from 20th Avenue to a point approximately 100 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Rousseau Street, east side, from San Jose Avenue to 55 feet southerly; and

Rousseau Street, west side, from San Jose Avenue to Bosworth Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Carl Street, north side, from 13 feet to 27 feet east of Willard Street (accommodating 4 motorcycles while addressing sight distance concerns at the intersection); and

Page Street, north side, between the driveways of 940 and 932 - 936 Page Street, accommodating two unmetered motorcycle parking spaces.

TOW-AWAY, NO STOPPING, 7 AM - 7 PM, EVERYDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
McAllister Street, north side, from Gough Street to 60 feet easterly

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Bryant Street, both sides, between 15th and 16th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Genessee Street, west side, from Monterey Boulevard to 19 feet southerly.

1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
20th Street, both sides, between Capp and Valencia Streets (parking meters to remain).

TOW-AWAY, MONDAY THROUGH FRIDAY, 4 PM TO 6 PM - RESCIND
Fell Street, south side, from Laguna Street to Scott Street.

TOW-AWAY, MONDAY-FRIDAY, 4 PM-7 PM - ESTABLISH
Fell Street, south side, from Divisadero Street to 125 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Capp Street, both sides, between 17th and 18th Streets (200 block) (excludes the thru-lot of 2155 Mission Street).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between 25th and Jersey Streets (1200 block);
Duncan Street, both sides, between Sanchez Street and Noe Street (400 block); and
Sanchez Street, both sides, between 28th and Duncan Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Baker Street, both sides, between Geary Boulevard and Post Street (1300 block).

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Bay Street, south side, between Mason and Taylor Streets.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Ocean Avenue, north side, between 21st and 22nd Avenues (2900 block); and
Ocean Avenue, both sides, between 20th and 21st Avenues (2800 block).
(Parking and Traffic Department)
(11/29/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2912.)

Question: Shall this Resolution be ADOPTED?

12. 041684 [Traffic Regulations - Various Streets]**Supervisor Duffy**

Resolution enacting and rescinding traffic regulations on various streets.

NO PARKING ANYTIME – RESCIND

West side of Potomac Street, from Waller Street to the southern property line of #53 Potomac Street

TOW-AWAY NO PARKING ANYTIME - ESTABLISH

West side of Potomac Street, from Waller Street to the southern property line of #53 Potomac Street.

(12/7/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or results in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

13. 041728 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

18th and Tennessee Streets, stopping 18th Street at Tennessee Street, making this intersection an All-Way STOP; and

Colin P. Kelly, Jr. Street and Brannan Street, stopping Colin P. Kelly, Jr. Street at Brannan Street, the stem of this T-intersection.

(12/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2921.)

Question: Shall this Resolution be ADOPTED?

14. 041737 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND**NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - ESTABLISH**

Southbound Hawes, Ingalls, and Jennings Streets at Ingerson Avenue

NO LEFT TURN, TAXIS EXEMPT, EXCEPT 4 PM TO 7 PM, MONDAY THROUGH FRIDAY – RESCIND**NO LEFT TURN, EXCEPT BUSES AND TAXIS – ESTABLISH**

Mission Street, westbound, at 1st, 4th and 10th Streets; and

Mission Street, eastbound, at Fremont, 2nd, 3rd, 5th, 6th and 7th Streets.

(Parking and Traffic Department)

(12/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2921.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

15. 041659 [Settlement of Lawsuit - Linda Vaccarezza]

Ordinance authorizing settlement of the lawsuit filed by Linda Vaccarezza against the City and County of San Francisco for \$835,000; the lawsuit was filed on 3/12/04 in United States District Court, Case No. C04-1021; entitled Linda Vaccarezza v. City and County of San Francisco, et al. (City Attorney)

1/11/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 041663 [Settlement of Lawsuit - Quynh Le, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Quynh Le, Weston Ngo, Candance Phan and Candance Phan as Guardian Ad Litem of Geoffrey Ngo, a minor and Brittany Ngo, a minor against the City and County of San Francisco for a total payment of \$28,000.00; the lawsuit was filed on May 30, 2003 in San Francisco Superior Court, Case No. 420-933; entitled Quynh Le, et al., v. City and County of San Francisco, et al. (City Attorney)

1/11/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Mirkarimi

17. 041624 [Settlement of Lawsuit - John R. Ulrich, Jr., M.D.]

Ordinance authorizing settlement of the lawsuit filed by John R. Ulrich, Jr., M.D. against the City and County of San Francisco for violation of civil rights in the amount of \$1,537,500; Plaintiff Ulrich filed the lawsuit on October 27, 1999 in San Francisco Superior Court and the City removed it to United States District Court (U.S. District Court Action C99-05003TEH).

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 041730 [Settlement of Lawsuit - Jenny McGrorey]

Ordinance authorizing settlement of the lawsuit filed by against the City and County of San Francisco for \$38,000; the lawsuit was filed on October 5, 2001 in San Francisco Superior Court, Case No. 325-198; entitled Jenny McGrorey, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 041731 [Settlement of Lawsuit - Altec Industries, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Altec Industries, Inc. against the City and County of San Francisco for \$45,000; the lawsuit was filed on October 30, 2003 in San Francisco Superior Court, Case No. 425-937; entitled Altec Industries, Inc. v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 041662 [Settlement of Claim - Third Street Lofts]
Resolution approving the settlement of the unlitigated claim filed by Third Street Lofts against San Francisco for \$100,000; claim was filed on March 11, 2003.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

21. 041673 [Appointment - Urban Forestry Council]
Resolution appointing Kelly Quirke and Jocelyn Cohen, terms ending April 5, 2005, to the Urban Forestry Council.
Kelly Quirke, succeeding Milton Marks III, resigned, seat 4, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for the unexpired portion of a two-year term ending April 5, 2005.
Jocelyn Cohen, succeeding Juan Carrasco, resigned, seat 7, must be representative of the community, for the unexpired portion of a two-year term ending April 5, 2005.

Question: Shall this Resolution be ADOPTED?

22. 050041 [Appointment - Surplus Property Citizens' Advisory Committee]
Resolution appointing Jay Bradshaw, term to be determined, to the Surplus Property Oversight Committee.
Jay Bradshaw, new appointment, seat 6, must be member of a union, for a term to be determined.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto

Consideration to override veto pursuant to Chapter Section 2.106 of Ordinance to appropriate funding from the Department of Human Services to increase available funding in the Department of Public Health for self-help services to the homeless.

23. 041492 [Appropriate funding from the Department of Human Services to increase available funding in the Department of Public Health for self-help services to the homeless]

Supervisor Daly

Ordinance appropriating \$283,809 from the Department of Human Services to fund peer based self-help services for chronically homeless people in the Tenderloin for the Department of Public Health for fiscal year 2004-2005.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on January 8, 2005. Therefore, the Board will lose the ability to override the veto unless it votes on or before February 8, 2005.

(Fiscal impact.)

12/14/2004, AMENDED. Amended by replacing "funding from General Fund Reserve" with "from the Department of Human Services". New Title.

12/14/2004, PASSED ON FIRST READING AS AMENDED.

1/4/2005, FINALLY PASSED.

Action: _____

24. 050044 [Adopting findings related to the determination that the appeal of the negative declaration for the 329 Bay Street project was timely]

Motion adopting findings related to the determination that the appeal of the negative declaration for the 329 Bay Street project was timely filed.

(Clerk of the Board)

1/6/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

25. 050043 [Adopting findings related to the appeal of the negative declaration issued by the Planning department for the 329 Bay Street project]

Motion adopting findings related to the appeal of the negative declaration issued by the Planning Department on June 22, 2004 for 329 Bay Street.

(Clerk of the Board)

1/6/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

26. 050047 [Adopting findings related to the conditional use appeal on property located at 100 Felton]
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 16877 (which approved the installation of a wireless telecommunications system facility consisting of six panel antennas on an existing church and related equipment directly below in the attic as part of Cingular's wireless telecommunications network within a RH-2 (Residential-Two Family) Zoning District and a 40-X Height and Bulk District, located at 100 Felton Street, northwest corner of Girard Avenue and Felton Street (Lot 013 in Assessor's Block 5926). (Clerk of the Board)
(Companion measure to Files 041636, 041637, 041638, 041639)

1/13/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

27. 041385 [Street Encroachment at 199 Geary Street - Security Pacific Place]
Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1.
(Public Works Department)

10/26/2004, AMENDED. Amended on page 2, line 22, by replacing "even" with "event."

10/26/2004, CONTINUED AS AMENDED. Continued to November 2, 2004

11/2/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 7, 2004

12/7/2004, CONTINUED. Continued to January 25, 2005

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors McGoldrick, Peskin, Maxwell

28. 041543 [Hunters Point Shipyard - Street Vacation Order]

Mayor, Supervisor Maxwell

Ordinance ordering the vacation of portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Galvez Street in Hunters Point Shipyard Parcel "A1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including SBC, Pacific Gas and Electric Company, easement holders of record and the City; accepting Department of Public Works Order No. 175,121; and authorizing official acts in connection with this Ordinance.

12/7/2004, CONTINUED. Continued to January 11, 2005 at 3:00 PM

1/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

1/11/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

29. 041577 [Clarifications and Technical Corrections to Work Practices Program for Lead-Based Paint Disturbance and Removal]
Supervisor Peskin
Ordinance amending Section 3407 et seq. of the Building Code, to amend the definitions of Clearance Inspection, Containment and Barrier Systems, and Prohibited Practices; to clarify scope of prohibitions on the removal or disturbance of lead-based paint; to specify the type of covering required to prevent contamination by lead debris; to specify where signs noticing lead work must be posted, to make further minor technical corrections to the work practices program for lead-based paint disturbance and removal; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 041149 [Death Toll of 1906 Earthquake Victims]
Supervisors Alioto-Pier, Elsbernd, Ma, Dufty
Resolution setting aside the current death toll of 478 victims of the 1906 earthquake and amending that number no later than April 18, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

31. 041307 [Prohibiting smoking on unenclosed areas of City parks and recreational areas in San Francisco open to the public]
Supervisors Alioto-Pier, Dufty
Ordinance amending the San Francisco Health Code by adding Article 19 I, encompassing Sections 1009.80 et seq., to prohibit smoking on any unenclosed area of property in the City and County of San Francisco that is open to the public and under the jurisdiction of the Recreation and Park Commission or any other City department if the property is a park, square, garden, sport or playing field other than a golf course, recreational pier, or other property used for recreational purposes.
(Fiscal impact.)
(Supervisor Peskin dissenting in Committee.)

9/28/2004, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 041751 [Appropriate funds for the Human Services Agency's CalWORKS, In-Home Supportive Services (IHSS) and Medi-Cal Programs]
Mayor
Ordinance appropriating \$5,988,448 from current year federal and state revenue allocations for the CalWORKS, In-Home Supportive Services (IHSS) and Medi-Cal programs to fund various program requirements including staffing; breakdown of the amounts per program are \$1,539,670 to CalWORKS, \$2,306,369 to IHSS and \$2,142,409 to Medi-Cal programs for fiscal year 2004-05.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 050059 [Appropriate funds from the General Reserve to General City Responsibility as charitable contribution for the Tsunami Relief Effort]
Supervisors Daly, Mirkarimi, Ammiano
Ordinance appropriating up to \$1,000,000 from the General Fund Reserve to General City Responsibility for a charitable contribution made to the Tsunami Relief Effort for fiscal year 2004-2005.
(Fiscal impact.)
(Supervisor Elsbernd dissenting in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 041564 [Approval of Lease with American Airlines, Inc. for a portion of Plot 40 and Superbay Hangar]
Resolution, retroactive to January 1, 2005, approving and authorizing the execution of a Lease with American Airlines, Inc., for a portion of Plot 40 and space in the Superbay Hangar.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

35. 041719 [BART Payment for MUNI Transfer Trips]
Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2004-2005.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

36. 041524 [Parking Regulations-Hall of Justice]
Ordinance amending San Francisco Traffic Code Section 32.6.7 to restrict parking on Bryant Street between Harriet Street and 7th Street to only SFPD vehicles or displaying a permit issued by the Chief of Police.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi

37. 041724 [Payment of Reward to two Jane Does]
Mayor
Ordinance authorizing payment of a \$10,000.00 reward to be split amongst two Jane Does for supplying information leading to the arrest and conviction of the perpetrator responsible for the death of Rihibi Hussein.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 041773 [Appointment - Golden Gate Bridge, Highway and Transportation District]
Resolution affirming retention of Supervisors Bevan Dufty, Tom Ammiano, Gerardo Sandoval and Jake McGoldrick, as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, for terms ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4 pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

39. 041275 **[Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

10/19/2004, CONTINUED. Continued to November 16 ,2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

40. 041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?
41. 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?
42. 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

43. 041739 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

44. 041740 [Reenacting a Disadvantaged Business Enterprise Program]
Supervisor Ammiano
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Rules Committee at a Special Meeting on Wednesday, January 19, 2005 at 3:00 p.m. The Chair intends to request the Committee to send the following items to the Board as committee reports on Tuesday, January 25, 2005.

45. 050051 [Changes to Board Committees]
Supervisor Peskin
Motion amending the Rules of the Board of Supervisors by amending Rules 5.1 - 5.6 to create a standing Government Audit and Oversight Committee and a Standing Budget and Finance Committee; to Repeal the Rules Related to the Finance and Audits Committee and Budget Committee; to change the name of the City Services Committee to the City Operations and Neighborhood Services Committee; and to Define the Responsibilities and Jurisdiction of the Budget and Finance Committee, the Government Audit and Oversight Committee, the Rules Committee, the City Operations and Neighborhood Services Committee and the Land Use Committee.

Question: Shall this Motion be APPROVED?

46. 050052 [Schedule for Regular Board Meetings]
Supervisor Peskin
Motion amending the Rules of the Board of Supervisors by amending Rule 6.2 to provide that the Board shall meet every Tuesday, unless that Tuesday is a holiday, and shall not meet during the week after Thanksgiving or the week between December 24 and December 31.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Maxwell, Alioto-Pier, Peskin

47. 050053 [Rule Amendment related to Supervisors voting at Board meetings]
Supervisor Peskin
Motion amending Rule 4.14 of the Rules of Order of the Board of Supervisors to provide procedures to encourage Supervisors to vote in a timely manner during roll calls at meetings of the Board of Supervisors.

Question: Shall this Motion be APPROVED?

48. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

49. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

CLOSED SESSION

50. 050104 [Closed Session - Existing Litigation, City as Defendant and City as Plaintiff]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation:

(i) Macy Department Stores, Inc. formerly known as Macy's West, Inc., an Ohio Corporation; Broadway Stores, Inc., a Delaware Corporation; and Federated System Group, Inc., a Delaware Corporation, vs. City and County of San Francisco Superior Court No. 306-723 (consolidated with 321838 and 313390); A lawsuit challenging the constitutionality of the City's certain aspects of business tax; and

(ii) City and County of San Francisco vs. Flying Dutchman Park, Inc.; James Gabriel Vierling; San Francisco Superior Court No. 321376; California Court of Appeal No. A102026. A lawsuit involving the constitutionality of certain aspects of the City's parking tax.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed above.
(City Attorney)

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 51 through 60

51. 050072 [Supporting Gay Adoption]
Supervisor Ammiano
Resolution urging the Supreme Court of the United States to rescind their refusal and to accept the hearing of a legal challenge to Florida's prohibition of adoption of children by gays and lesbians.

1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
52. 050073 [Homeless Death Count]
Supervisors Daly, Dufty
Resolution urging the City Attorney to explore feasible means to access death records.

1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
53. 050074 [Reinstatement of Homeless Death Count by SFDPH]
Supervisors Daly, Ammiano, Sandoval, Mirkarimi, McGoldrick, Elsbernd
Resolution urging Department of Health to reinstate Homeless Death Count.

1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
54. 050075 [Commending Ray Wong]
Supervisor Dufty
Resolution commending Ray Wong for his career in civil service.

1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
55. 050076 [Volunteer Blood Donor Month]
Supervisor Ma
Resolution declaring January 2005 to be "Volunteer Blood Donor Month" in the City and County of San Francisco.

1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

56. 050077 [SFMOMA Building Anniversary]
Supervisor Ma
Resolution congratulating the San Francisco Museum of Modern Art on the Tenth Anniversary of the Opening of their Mario Botta – designed building.
- 1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
57. 050078 [Extending the term of the Biosciences Task Force to March 15, 2005]
Supervisor Maxwell
Resolution extending the term of the Biosciences Task Force to March 15, 2005.
- 1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
58. 050079 [Urging the California Legislature to standardize levels of aid payments for Kin-GAP Program]
Supervisor McGoldrick
Resolution urging the California Legislature to standardize levels of aid payments for relative and non-relative legal guardianship in its Kinship Guardianship Assistance Program in order to encourage and support relative caretakers in taking guardianship of dependent and "at-risk" children.
- 1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
59. 050105 [Appointment to San Francisco LAFCO]
Supervisor Peskin
Motion appointing Supervisor Ross Mirkarimi, term ending February 4, 2006, to the San Francisco Local Agency Formation Commission.
- 1/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
60. 050046 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 1/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
- Questions on the For Adoption Without Committee Reference Agenda: _____*

61. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 4, 2005 to January 14, 2005, for reference by President to appropriate committee on January 25, 2005.

050045 [Sale of City Property]

Ordinance ordering the sale at public auction of City-owned property located at 1648 Pacific Avenue and 2350 19th Avenue; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance. (Real Estate Department)

1/7/2005, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050085 [Ordering vacation of 22nd Street between Arkansas and Connecticut Streets]

Ordinance ordering the vacation of the 22nd Street right-of-way between Arkansas and Connecticut Streets subject to reservations of certain utility easements in the vacated area; authorizing the sale of a portion of the vacated street area pursuant to the terms of an agreement for sale of real estate; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this ordinance. (Real Estate Department)

1/13/2005, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 4, 2005 to January 14, 2005, for reference by President to appropriate committee on January 25, 2005.

050080 [One Year Tolling Agreement]

Resolution approving the City Attorney's entry into a mutual tolling agreement governing administrative claims or suit by the City of Daly City ("Daly City") against the City and County of San Francisco ("San Francisco") and/or San Francisco against Daly City.
(City Attorney)

1/12/2005, RECEIVED AND ASSIGNED to Rules Committee.

050081 [Public Auction]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.

1/10/2005, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050082 [Exchange of real property within the Japan Center Garage]

Resolution authorizing the exchange of certain City-owned real property generally known as a portion of Lot 35, Assessor's Block 700 for certain property owned by Dae Woong Kim, et al generally known as a portion of Lot 34, Assessor's Block 700; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the exchange is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.
(Real Estate Department)

1/10/2005, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050084 [Vacation of 22nd Street between Arkansas and Connecticut Streets]

Resolution declaring the intention of the Board of Supervisors to vacate the 22nd Street right-of-way between Arkansas and Connecticut Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.
(Real Estate Department)

1/13/2005, RECEIVED AND ASSIGNED to Land Use Committee.

050109 [Petitions and Communications]

Petitions and Communications received from January 4, 2005 through January 14, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 25, 2005.

From Office of the Controller, submitting notice that fidelity bonds are on file for members of the Board of Supervisors that were sworn into office on January 8, 2005. (1)

From Budget Analyst, submitting the Budget Analyst Activity Status Report for the Quarter ending December 31, 2004. Copy: Each Supervisor (2)

From the Port, submitting request for release of reserved funds of \$102,991 for a Chief Stationary Engineer and a Deputy Director pending information related to the Port's reorganization. Copy: Finance and Audits Committee (3)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (4)

From Department of Human Resources, submitting quarterly report of economic grievance settlements for the period of October 1, 2004 through December 31, 2004. (5)

From Brandt-Hawley Law Group, appealing decision of Planning Commission approving the exemption/exclusion from environmental review for property located at 837-847 Montgomery Street. File 050037 (6)

From Howard Chabner, regarding Laguna Honda Hospital, its residents and its historic mission. (7)

From Department of Human Services, submitting request for waiver of Administrative Code Chapters 12B and 12C for Equifax Information Services. (8)

From Sal Busalacchi, appealing decision of the Department of Parking and Traffic that grants categorical exemption from environmental review prohibiting the driving of tour buses on Stockton Street between Union and Greenwich Street. File 041310 (9)

From Sal Busalacchi, appealing decision of the Department of Parking and Traffic that grants categorical exemption from environmental review prohibiting the driving of tour buses on Mason Street between Bay and Columbus Avenue. File 041462 (10)

From Police Department, regarding request to change the name of Jasper Place to honor Mr. Dante Benedetti. File 041283, Copy: Supervisor Peskin (11)

From Police Department, regarding request for information relating to police barricades in specified areas of the Tenderloin District. (Reference No. 20041214-003) Copy: Supervisor Daly (12)

From Peter Warfield, submitting his concern with the City Librarian search process and outcome. (13)

From Department of Public Works, regarding proposed legislation to remove the flower stand located at 5th and Market Streets from the Public Works Code. File 041742, Copy: City Services Committee (14)

From Department of California Highway Patrol, submitting report regarding the illegal discharge (or threatened illegal discharge) of hazardous waste, which could cause substantial injury to the public health or safety. (15)

From Human Services Agency, submitting notice that this year's bi-annual count of unsheltered

homeless people will take place on the evening of January 25, 2005 from 7 p.m. to 12 a.m. Copy: Each Supervisor (16)

From Office of the Treasurer/Tax Collector, submitting report of the Cash difference and Overage fund balance and activities reported from December 1 to December 31, 2004. (17)

From State Office of Historic Preservation, submitting notice that on October 15, 2004 Golden Gate Park was placed on the National Register of Historic Places. (18)

From State Office of Historic Preservation, submitting notice that on July 27, 2004 735 Market Street was placed on the National Register of Historic Places. (19)

From City Attorney, submitting notice that appeal filed for property located at 837-847 Montgomery Street was filed in a timely manner and therefore should be calendared before the Board of Supervisors. (20)

From City Attorney, submitting notice that appeal filed for property located at 1187 -1189 Stanyan Street was filed in a timely manner and therefore should be calendared before the Board of Supervisors. (21)

From Supervisor Daly, commenting on Mayor Newsom's veto regarding legislation to appropriate funding from the Department of Human Services to increase available funding in the Department of Public Health for self services to the homeless. File 041492, Copy: Each Supervisor (22)

From concerned citizens, submitting support for a proposed Civil Service Reform measure that Mayor Newsom is planning to present to the San Francisco voters in November 2005. (23)

From concerned citizens, urging the Board to draft legislation to do more to attract jobs and businesses to San Francisco. (24)

From Chinese Health Coalition, urging the Board to preserve mental health services for the indigent. Copy: Each Supervisor (25)

From Golden Gate Bridge, Highway and Transportation District, submitting 2003/2004 Annual Report. (26)

From RCN, submitting notice that on December 21, 2004 RCN Corporation the ultimate parent company of RCN Telecom Services, Inc. consummated its plan of reorganization and formally emerged from the Chapter 11 process that was initiated on May 27, 2004. (27)

From Joan Vellutini, submitting copy of letter sent to the Mayor regarding city gardeners. Copy: Supervisor Dufty (28)

From concerned citizens, commenting on recently passed legislation regarding humane treatment of all companion dogs. Copy: Each Supervisor (29)

From concerned citizens, commenting on proposed legislation to ban handguns in San Francisco. Copy: Each Supervisor (30)

From John Nelson, regarding early retirement for City employees in departments where there must be layoffs. Copy: Supervisor Sandoval (31)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JAN 28 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 1, 2005 2:00 PM

Regular Meeting

PRESIDENT, AARON PESKIN

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier

Meeting Days

2nd, 3rd, 4th Thursdays
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

1. 041577 [Clarifications and Technical Corrections to Work Practices Program for Lead-Based Paint Disturbance and Removal]
Supervisors Peskin, Mirkarimi
Ordinance amending Section 3407 et seq. of the Building Code, to amend the definitions of Clearance Inspection, Containment and Barrier Systems, and Prohibited Practices; to clarify scope of prohibitions on the removal or disturbance of lead-based paint; to specify the type of covering required to prevent contamination by lead debris; to specify where signs noticing lead work must be posted, to make further minor technical corrections to the work practices program for lead-based paint disturbance and removal; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

1/25/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

2. 041751 [Appropriate funds for the Human Services Agency's CalWORKS, In-Home Supportive Services (IHSS) and Medi-Cal Programs]
Mayor

Ordinance appropriating \$5,988,448 from current year federal and state revenue allocations for the CalWORKS, In-Home Supportive Services (IHSS) and Medi-Cal programs to fund various program requirements including staffing; breakdown of the amounts per program are \$1,539,670 to CalWORKS, \$2,306,369 to IHSS and \$2,142,409 to Medi-Cal programs for fiscal year 2004-05. (Fiscal impact.)

1/25/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present:: Supervisors McGoldrick, Peskin, Maxwell

3. 041524 [Parking Regulations-Hall of Justice]
Supervisor Mirkarimi

Ordinance amending San Francisco Traffic Code Section 32.6.7 to restrict parking on Bryant Street between Harriet Street and 7th Street to only SFPD vehicles or displaying a permit issued by the Chief of Police.
(Parking and Traffic Department)

1/25/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi

4. 041624 [Settlement of Lawsuit - John R. Ulrich, Jr., M.D.]

Ordinance authorizing settlement of the lawsuit filed by John R. Ulrich, Jr., M.D. against the City and County of San Francisco for violation of civil rights in the amount of \$1,537,500; Plaintiff Ulrich filed the lawsuit on October 27, 1999 in San Francisco Superior Court and the City removed it to United States District Court (U.S. District Court Action C99-05003TEH).

1/25/2005, PASSED. ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 041730 [Settlement of Lawsuit - Jenny McGrorey]
Ordinance authorizing settlement of the lawsuit filed by against the City and County of San Francisco for \$38,000; the lawsuit was filed on October 5, 2001 in San Francisco Superior Court, Case No. 325-198; entitled Jenny McGrorey, et al., v. City and County of San Francisco, et al.
(City Attorney)
- 1/25/2005, PASSED, ON FIRST READING
Question: Shall this Ordinance be FINALLY PASSED?
6. 041731 [Settlement of Lawsuit - Altec Industries, Inc.]
Ordinance authorizing settlement of the lawsuit filed by Altec Industries, Inc. against the City and County of San Francisco for \$45,000; the lawsuit was filed on October 30, 2003 in San Francisco Superior Court, Case No. 425-937; entitled Altec Industries, Inc. v. City and County of San Francisco.
(City Attorney)
- 1/25/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 041724 [Payment of Reward to two Jane Does]
Mayor
Ordinance authorizing payment of a \$10,000.00 reward to be split amongst two Jane Does for supplying information leading to the arrest and conviction of the perpetrator responsible for the death of Rihibi Hussein.
(Mayor)
- 1/25/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

8. 041307 [Prohibiting smoking on unenclosed areas of City parks and recreational areas in San Francisco open to the public]

Supervisors Alioto-Pier, Dufty

Ordinance amending the San Francisco Health Code by adding Article 19 I, encompassing Sections 1009.80 et seq., to prohibit smoking on any unenclosed area of property in the City and County of San Francisco that is open to the public and under the jurisdiction of the Recreation and Park Commission or any other City department if the property is a park, square, garden, sport or playing field other than a golf course, recreational pier, or other property used for recreational purposes.

(Fiscal impact.)

(Supervisor Peskin dissenting in Committee.)

9/28/2004, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

1/25/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

9. 041733 [Tattooing and piercing license fees]
 Supervisor Daly
 Ordinance amending Section 258 of the San Francisco Health Code to increase the license fee for permission to engage in the practice of tattooing and piercing from \$105 per year to \$129 per year.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

10. 041725 [Parking Violation Penalties]
 Ordinance amending San Francisco Traffic Code Sections 32, 32.1, 32.1.1 through 32.1.7, 32.1.9, 32.1.10, 32.1.11, 32.2, 32.2.1, 32.2.2, 32.2.3, 32.3, 32.3.1, 32.5, 32.6.1, 32.6.2, 32.6.3, 32.6.5, 32.6.6, 32.6.7, 32.6.8, 32.6.10, 32.6.11, 32.6.12, 32.6.13, 32.6.14, 32.6.16 through 32.6.29, 32.20, 210, and 412 regarding penalties for parking violations and authorizing the setting of specific penalties for parking violations through a schedule of fines approved by ordinance of the Board of Supervisors.
 (Municipal Transportation Agency)
11. 041759 [Amending conditions for Maiden Lane alley closure]
 Supervisor Peskin
 Resolution amending conditions for Maiden Lane alley closure by eliminating requirements for fourteen foot access lane and for posting a guard at entry gates; amending signage requirements at entry gates and hours of table service; and replacing references to the Maiden Lane Association with the Union Square Association.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

12. 050087 [Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street.]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. No.16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 002J, Assessor's Block 1202.

The appellants are opposing the proposed demolition of an assembly building (currently a Baptist Church and before that the Harding Theater) in this neighborhood. (Appellant: David Tornheim, representing the Central City Progressives.)

(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

13. 050088 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]
Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
14. 050089 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]
Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
15. 050090 [Findings - 606-624 Divisadero Street and 1278 Hayes Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
16. 050091 [Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Rules Committee at a Rescheduled Meeting on Wednesday, January 26, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as committee reports on Tuesday, February 1, 2005.

17. 050007 [Dissolving Lead Poisoning Prevention Citizens Advisory Committee]
Supervisor Maxwell
Ordinance repealing section 1607 of the Municipal Health Code, which established the Lead Poisoning Prevention Citizens Advisory Committee, and thereby dissolving the Lead Poisoning Prevention Citizens Advisory Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 050020 [Withdrawing the City from the North Coastal Counties Supervisors Association]
Resolution authorizing the City to withdraw from the "North Coastal Counties Supervisors Association."
- Question: Shall this Resolution be ADOPTED?
19. 050021 [Withdrawing from the San Mateo County-City and County of San Francisco Task Force]
Resolution repealing Resolution No. 876-82, to dissolve the "San Mateo County-City and County of San Francisco Task Force."
- Question: Shall this Resolution be ADOPTED?
20. 050023 [Dissolving the United Nations Plaza Working Group]
Resolution repealing Motion No. M01-140, to dissolve the "United Nations Plaza Working Group."
- Question: Shall this Resolution be ADOPTED?
21. 041775 [Appointment - Ethics Commission]
Resolution appointing Eileen Hansen, term expiring February 1, 2011, to the Ethics Commission. Eileen Hansen, succeeding Michael Garcia, term expiring February 1, 2005, seat 1, must be broadly representative of the general public, for a six-year term ending February 1, 2011.
- (Supervisor Alioto-Pier dissenting in Committee)

Question: Shall this Resolution be ADOPTED?

22. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

24. 050129 [Legislative Analyst Request - Overweight and Overlength Sport Utility Vehicles]

Supervisor Mirkarimi

Motion requesting the Office of the Legislative Analyst to: (1) report on damages caused by overweight and overlength sport utility vehicles on the City's roadways; (2) report on programs and systems employed by other cities, specifically Washington DC and Seattle, to recoup these costs; and, (3) report on the feasibility and effectiveness of creating a free structure whereby large and luxury sport vehicle owners would pay an increased residential parking permit fee.

Question: Shall this Motion be APPROVED?

25. 050130 [Legislative Analyst Request - Community Policing Practices]

Supervisor Mirkarimi

Motion requesting the Office of the Legislative Analyst to prepare an analysis of community policing practiced in cities of comparable size to San Francisco, nationally and internationally, to include factors of a standardized operating procedure and/or formalized factors. Please inform the requester if and how community policing practices may be legislated by the Board in the City and County of San Francisco.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 26 through 45

26. 050122 [Apply for, Accept and Expend State Grant]

Supervisor Mirkarimi

Resolution authorizing the Department of Public Works to apply for, accept and expend a grant in the amount of \$298,010 in Waste Tire Enforcement Grant funds from the California Integrated Waste Management Board for enforcing proper disposal of waste tires and authorizing the Department of Public Works to apply for future Waste Tire Enforcement Grants.

1/25/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 050123 **[Accept-Expend Federal and State Grants]**
Supervisor Elsbernd
Resolution authorizing the Director of Transportation or his designee to accept and expend a Federal Transportation Enhancement Activities grant in the amount of \$325,945, and a State Transportation Improvement Program grant in the amount of \$42,230 from the Metropolitan Transportation Commission for a Shared Lane Pavement Marking TEA Project.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
28. 050138 **[Encouraging the California Institute for Regenerative Medicine to locate its Headquarters in San Francisco]**
Supervisors Alioto-Pier, Dufty
Resolution encouraging the California Institute for Regenerative Medicine to locate its Headquarters in San Francisco.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
29. 050139 **[Grant to improve pregnancy outcomes through implementing a smoke free pregnancy project]**
Supervisors Alioto-Pier, Dufty
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a new grant in the amount of \$25,000 from the March of Dimes Foundation (MODF) for the Smoke Free Pregnancy Project, to enter into an agreement for the use of these funds, and to add one new position funded through this grant; for the period of January 1, 2005, to December 31, 2005.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
30. 050140 **[Supporting Self-Anchored Suspension Design]**
Supervisor Ammiano
Resolution endorsing the principle that the most expeditious path to seismic safety for this critical component of the region's transportation infrastructure is to retain the Self-Anchored Suspension design that is 100 percent complete, fully permitted and ready to construct.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
31. 050141 **[Commemorating 60th Anniversary of Liberation of Auschwitz]**
Supervisors Ammiano, Peskin, Dufty
Resolution commemorating the 60th anniversary of the liberation of Auschwitz death camps, expressing solidarity with similar commemorative ceremonies at the United Nations and across the world, reaffirming the commitment to the securing of human rights and dignity, acknowledging the human suffering of victims and survivors of the Holocaust, and imploring all nations to employ all preventive and diplomatic efforts to prevent current and future wars of genocide.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

32. 050142 [Commending Dr. Boyd Stephens]
Supervisor Dufty
Resolution commending Dr. Boyd Stephens on his career in civil service.

1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
33. 050143 [Commending Tom Hayes]
Supervisors Elsbernd, Dufty, Ma
Resolution commending Tom Hayes on the celebration of his 80th Birthday.

1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 050144 [Accept-Expend Federal and State Grants]
Supervisor Elsbernd
Resolution authorizing the Director of Transportation or his designee to accept and expend a Federal grant in the amount of \$268,576 and a state grant in the amount of \$34,797 from the Metropolitan Transportation Commission for a Pedestrian Safety and Access Education TEA Project.

1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 050145 [Parent Teacher Association (PTA) Day in San Francisco]
Supervisors Ma, Dufty
Resolution declaring February 4, 2005 as "San Francisco Parent Teacher Association (PTA) Day" in the City and County of San Francisco.

1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 050146 [Commending the Experimental Middle School of Beijing]
Supervisor Ma
Resolution commending the Experimental Middle School of Beijing Normal University for its leadership in international education and for its extensive contributions to our children's intellectual and cultural growth.

1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

37. 050147 [Potrero Power Plant Unit 3 to comply with water quality standards]
Supervisor Maxwell
Resolution urging the San Francisco Bay Regional Water Quality Control Board to require Mirant's Potrero Power Plant Unit 3 to come into compliance with all water quality standards and to terminate the wastewater discharge permit when the power plant is no longer needed for electric reliability.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 050148 [Urging full funding of Community and Home Injury Prevention Project for Seniors (CHIPPS)]
Supervisor Mirkarimi
Resolution urging full funding and implementation of the Community and Home Injury Prevention Project for Seniors (CHIPPS) by the San Francisco Department of Public Health.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 050149 [Opposing further gas and electric rate increases by PG&E]
Supervisors Mirkarimi, Ammiano, Daly
Resolution urging the California Public Utilities Commission to require PG&E to provide accurate and timely electric bills and reliable service, and opposing further rate increases, and urging the California Public Utilities Commission to reverse the constant gas and electric rate increases of the last decade and reduce rates to a just and reasonable level.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
40. 050150 [Oppose Privatization of Social Security]
Supervisor Mirkarimi
Resolution urging members of San Francisco's Congressional delegation to oppose, reject, and vote against any legislation that would partially or fully privatize Social Security.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 050157 [Commending Deputy City Attorney Andrew W. Schwartz]
Supervisors Peskin, Dufty
Resolution commending Andrew W. Schwartz for twenty-two years of exemplary public service to San Francisco as a Deputy City Attorney, and wishing him well in his future endeavors at Shute, Mihaly & Weinberger.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

42. 050158 [Commending Tripta Gupta]
Supervisors Peskin, Dufty
Resolution commending Tripta Gupta for a successful career with City and County of San Francisco, and wishing her a happy retirement.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 050159 [Mary Ellen Pleasant Day]
Supervisors Peskin, Maxwell
Resolution declaring February 10, 2005, "Mary Ellen Pleasant Day" in San Francisco.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 050160 [Wild Parrot Day]
Supervisor Peskin
Resolution declaring February 9, 2005 Wild Parrot Day.
- 1/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 050152 [Final Map for a 23 Unit Mixed-Use Condominium Project]
Motion approving Final Map of 6900 Geary Boulevard, A Mixed-Use Condominium Project, being a subdivision of Lot 7 in Assessor's Block No. 1465, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,169; District 1)
- 1/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

46. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 14, 2005 to January 24, 2005, for reference by President to appropriate committee on February 1, 2005.

- 050092 [Designating 351-9th Avenue, the Carnegie Richmond Branch Library, as a Landmark under Planning Code Article 10]
Ordinance designating 351-9th Avenue, the Carnegie Richmond Branch Library, as Landmark No. 247 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

1/19/2005, RECEIVED AND ASSIGNED to Land Use Committee.

050094 [Settlement of Lawsuit - Rebecca Sturtz v. CCSF]

Ordinance authorizing settlement in the matter of Rebecca Sturtz v. City and County of San Francisco for \$65,000. The lawsuit was filed on June 3, 2003 in San Francisco Superior Court, Case No. 415-227, entitled Rebecca Sturtz v. City and County of San Francisco; Raymond E. Batz Jr., Gary D. Curto, Albert J. Fernandez, Charles Krieger, Timothy J. Miles, Harry Parechan, William Shore, and Does 1 through XX, inclusive.
(City Attorney)

1/21/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 14, 2005 to January 24, 2005, for reference by President to appropriate committee on February 1, 2005.

050095 [Sale of Lot 5 in Block 4357]

Resolution authorizing a sale of land under the jurisdiction of the San Francisco Public Utilities Commission to Gachwiler; adopting findings that the conveyance is in conformity with the City's General Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

1/21/2005, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050096 [Accept-Expend Federal/State Pass Through Grant]

Resolution authorizing the Department of Public Library to accept and expend an augmentation grant in the amount of \$5,405 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.
(Public Library)

1/21/2005, RECEIVED AND ASSIGNED to City Services Committee.

050097 [Extending Provisional Appointments]

Resolution approving extension to June 30, 2005 of provisional appointments of employees in classifications H-30 Captain (Fire Department), 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0943 Manager VIII, 1952 Purchaser, 5212 Principal Engineer, 7328 Operating Engineer, Universal, and 8216 Senior Parking Control Officer.
(Human Resources Department)

1/19/2005, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050151 [Accept-Expend State Grant]

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the State Office of Emergency Services for a project entitled "Law Enforcement Specialized Unit (LESU) – Violence Against Women Program," and agreeing to accept an in-kind match from La Casa De Las Madres for a Victim Advocate position, and waiving indirect costs due to funding constraints.
(Police Department)

1/21/2005, RECEIVED AND ASSIGNED to City Services Committee.

050161 [Petitions and Communications]

Petitions and Communications received from January 14, 2005 through January 24, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 1, 2005.

From City Attorney, submitting notice that appeal filed for property located at 3775 21st Street was filed in a timely manner and therefore should be calendared before the Board of Supervisors for a public hearing. (1)

From the Controller, submitting an audit report for the Southeast Asian Community Center including its compliance with the City and County of San Francisco ordinance prohibiting the use of city funds for political activity. (2)

From Fire Department, submitting notice that the annual holding cell fire/life inspection for Central Police Station at 766 Vallejo Street was conducted on December 2, 2004. (3)

From Department of Elections, submitting copy of letter sent to Kevin Shelley, Secretary of State, certifying election results from the November 2, 2004 election. (4)

From City Attorney, submitting notice that the Categorical Exemption prohibiting tour buses on Mason Street between Bay Street and Columbus Avenue has been rescinded and therefore the appeal is moot. (5)

From Department of Parking and Traffic, submitting list of all the Traffic Calming Applications received to date from District 7 residents. (6)

From Clerk of the Board, submitting list of individuals who have submitted Form 700 Statement of Economic Interests: Rebecca Prozan, Legislative Assistant to Supervisor Dufty; Boris Delepine, Legislative Assistant to Supervisor Mirkarimi; Rebekah Krell, Legislative Assistant to Supervisor Elsbernd; James Dorenkott, Legislative Assistant to Supervisor Gonzalez; David Grenell, Legislative Assistant to Supervisor Gonzalez; John Gavin, Legislative Assistant to Supervisor Elsbernd; John Avalos, Legislative Assistant to Supervisor Daly; Lena Gomes, Legislative Assistant to Supervisor Daly; Hilary Pedigo, Legislative Assistant to Supervisor Sandoval (7)

From James Chaffee, regarding standards of civility at public meetings before the Board of Supervisors. Copy: Each Supervisor (8)

From Ethics Commission, submitting the Permit Processing Code of Conduct adopted by the Ethics Commission on January 10, 2005. (9)

From Office of the Sheriff, submitting 2nd quarter budget report for the Office of the Sheriff. (10)

From Fire Department, submitting notice that the annual holding cell fire/life safety inspection for SF General Hospital at 1001 Potrero Avenue was conducted on December 13, 2004. (11)

From concerned citizens, submitting support for a ballot measure for Civil Service Reform at the next election. (12)

From Supervisor Daly, submitting appointment of John Melone to the Local Homeless Coordinating Board. (13)

From SFO, submitting waiver for San Francisco International Airport (SFO) Travelers Aid Recognition Luncheon. (14)

From concerned citizens, submitting opposition to proposal to donate \$1 million dollars from the General Fund to Tsunami relief. File 050059, Copy: Each Supervisor (15)

From concerned citizens, submitting opposition to a handgun ban in San Francisco. Copy: Each Supervisor (16)

From Supervisor Daly, commenting on Mayor Newsom's veto regarding legislation to appropriate funding from the Department of Human Services to increase available funding in the Department of Public Health for self services for the homeless. File 041492, Copy: Each Supervisor (17)

From S.F. Bicycle Advisory Committee, regarding adding bicycle lanes to San Jose Avenue, governing bicycle and pedestrian use of Broadway Tunnel walkways and the City's refurbished Union Square garage. (18)

From concerned citizens, submitting opposition to any cuts in funding for the senior escort program. Copy: Supervisor Peskin (19)

From Sarah Caine, submitting opposition to proposal to prohibit tour buses and vans on Mason Street between Bay Street and Columbus Avenue. File 041462 (20)

From Mike Pafford, submitting support for a ban on handguns in San Francisco. (21)

From Everett & Linda Johnson, regarding the "red light traffic ticket" they received on a recent visit to San Francisco. (22)

From Supervisor Daly, submitting press release regarding sending money from the General Fund to Southeast Asia for Tsunami relief. File 050059, Copy: Each Supervisor (23)

From concerned citizens, urging the Board not to cut funding to the Department of Public Health Nurse's staff. Copy: Each Supervisor (24)

From Comcast Cable Communications, submitting two checks (to the Controller) in the amount of \$517,500.00 and \$25,000.00, in accordance with Section 27.2(f) and Section 24.3 of the Cable Television Franchise Ordinance. (25)

From Stephen Naghdi, urging the Board of Supervisors to help set up and fund a mental health or crisis telephone for supportive talking in the evening and on weekends. Copy: Supervisor McGoldrick (26)

From Sue Vaughan, submitting opposition to providing free parking at meters and a discount at public garages to people who drive hybrid vehicles in San Francisco. File 041679, Copy: Each Supervisor (27)

From State Senator Jackie Speier, submitting copy of letter sent to the Independent Citizen's Oversight Committee supporting the effort to locate the headquarters of the California Institute for Regenerative Medicine in San Francisco. (28)

From Todd Korab, regarding his disappointment in the recent delays in processing of Condo Conversion applications. Copy: Each Supervisor (29)

From Ted Milikin, concerning the safety of bike riders on the one way section of Polk Street and through the intersection at Market Street. Copy: Supervisor Daly (30)

ADJOURNMENT

JAN 26 2005

SAN FRANCISCO
PUBLIC LIBRARY



City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice

Transmitted 02-24-2005

A public hearing will be held on 02/08/05 at 4:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

050037 Public Hearing - Appeal of Categorical Exemption for 837-847 Montgomery Street

Hearing of persons interested in or objecting to the decision of the Planning Department dated December 13, 2004, Case No. 2004.0924E, approving the proposed conversion of an existing office use in two adjoining three-story-over-basement masonry buildings to 13-residential units with basement parking for up to 9 cars; construction of two-additional floors and a stair penthouse, and removal of alterations made to the ground-floor façade and replacement with a new storefront design. The project site is a 6,800 sq. ft parcel located at 837-847 Montgomery Street, Assessor's Block 176, Lots 3 and 3A, within the C-2 (Community Business) zoning district and a 65A height and bulk district.

The existing buildings are within the Jackson Square Historic District. (Appellant: San Francisco Architectural Heritage represented by their Attorney, Susan Brandt-Hawley, Brandt-Hawley Law Group.)

Gloria L. Young, Clerk of the Board

NOTE:

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

FEB - 4 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 8, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee
Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Wynns

City Operations and Neighborhood Services Committee
Supervisors McGoldrick, Dufty, Ma

Government Audits and Oversight Committee
Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee
Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee
Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday
1:00 PM

2nd Monday, (Bi-Monthly)
4:00 PM

1st and 3rd Monday
1:00 PM

2nd and 4th Monday
1:00 PM

Wednesday
1:00 p.m.

Wednesday
10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the City Services Committee

Present: Supervisors Dufty, Elsbernd

1. 050004 **[Implementation of the State's Pierce's Disease Control Program]**
 Mayor

Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health Services (SFPDH/OEHS) to enter retroactively into an agreement with the State Department of Food and Agriculture (SDFA), and expend funds in the amount of \$63,887.65 to implement in San Francisco the SDFA Pierce's Disease Control Program; for the period of July 1, 2004 to June 30, 2005.

1/11/2005, REFERRED to City Services Committee.

Question: Shall this Resolution be ADOPTED?

2. 050035 [Contract funds to detect and eradicate infestations of *P. ramorum*, the causal agent of sudden oak death, in host plants in nursery stock in San Francisco]
Supervisors Alioto-Pier, Dufty
Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health Services (SFDPH/OEHS) to enter retroactively into a performance agreement with the California Department of Food and Agriculture (CDFA), and expend funds in the amount of \$3,296 to assist in the implementation in San Francisco of the CDFA Sudden Oak Death (SOD) Program; for the period of March 1, 2004 to February 28, 2005.

Question: Shall this Resolution be ADOPTED?

3. 050057 [Grant to enable the San Francisco Department of Public Health to prepare to respond to a potential bioterrorism attack]
Mayor, Supervisors Dufty, Elsbernd
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend Cities Readiness Initiative grant funds in the amount of \$910,514 from the Centers for Disease Control (CDC) to prepare to respond to a potential bioterrorism attack and to enter into an agreement for the use of these funds; for the period of August 31, 2004, to August 30, 2005.

Question: Shall this Resolution be ADOPTED?

4. 050058 [Reintegrate clients at Laguna Honda Hospital into independent living in the community]
Supervisor Elsbernd
Resolution authorizing the San Francisco Department of Public Health/ Laguna Honda Hospital and Rehabilitation Center (SFDPH/LHH) to accept and expend retroactively a grant in the amount of \$50,000 from the California HealthCare Foundation (CHCF), to reintegrate clients into independent living within the community and to enter into an agreement for the use of these funds; for the period of January 1, 2005 through December 31, 2005.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

5. 041733 [Tattooing and piercing license fees]
Supervisor Daly
Ordinance amending Section 258 of the San Francisco Health Code to increase the license fee for permission to engage in the practice of tattooing and piercing from \$105 per year to \$129 per year.

2/1/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

6. 041725 [Parking Violation Penalties]

Ordinance amending San Francisco Traffic Code Sections 32, 32.1, 32.1.1 through 32.1.7, 32.1.9, 32.1.10, 32.1.11, 32.2, 32.2.1, 32.2.2, 32.2.3, 32.3, 32.3.1, 32.5, 32.6.1, 32.6.2, 32.6.3, 32.6.5, 32.6.6, 32.6.7, 32.6.8, 32.6.10, 32.6.11, 32.6.12, 32.6.13, 32.6.14, 32.6.16 through 32.6.29, 32.20, 210, and 412 regarding penalties for parking violations and authorizing the setting of specific penalties for parking violations through a schedule of fines approved by ordinance of the Board of Supervisors.
(Municipal Transportation Agency)

2/1/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Mirkarimi

7. 041764 [Settlement of Lawsuit - American Motorists Insurance Company]

Ordinance authorizing settlement of the lawsuit filed by American Motorists Insurance Company against the City and County of San Francisco for \$85,000; the lawsuit was filed on November 14, 2001 in San Francisco Superior Court, Case No. 401-290; entitled American Motorists Insurance Co., et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 050007 [Dissolving Lead Poisoning Prevention Citizens Advisory Committee]
Supervisor Maxwell

Ordinance repealing section 1607 of the Municipal Health Code, which established the Lead Poisoning Prevention Citizens Advisory Committee, and thereby dissolving the Lead Poisoning Prevention Citizens Advisory Committee.

2/1/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 050111 [Appointment - Veterans Affairs Commission]

Resolution appointing Jill Buck, term ending January 31, 2006, to the Veterans Affairs Commission; residency requirement waived.

Jill Buck (residency requirement waived), succeeding Carla Hollis, resigned, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006.

Question: Shall this Resolution be ADOPTED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Mirkarimi

10. 041775 **[Appointment - Ethics Commission]**
Motion appointing Eileen Hansen, term expiring February 1, 2011, to the Ethics Commission.
Eileen Hansen, succeeding Michael Garcia, term expiring February 1, 2005, seat 1, must be broadly
representative of the general public, for a six-year term ending February 1, 2011.

(Supervisor Alioto-Pier dissenting in Committee)

2/1/2005, CONTINUED. Continued to February 8, 2005

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Dufty, Elsbernd

11. 041488 **[Regulating Computer Rental Businesses]**
Supervisor Ma
Ordinance adding Article 10.2 to the San Francisco Police Code, regulating businesses that rent
computer time to patrons by prohibiting minors from using game controllers or renting computer time
for purposes of gaming during certain times, requiring supervision, regulating waiting lists, posting
hours of operation, and providing for a penalty.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

12. 041275 **[Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

10/19/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.

1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

- 13. 041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?
- 14. 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?
- 15. 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
Question: Shall this Motion be APPROVED?

16. 050037 [Public Hearing - Appeal of Categorical Exemption for 837-847 Montgomery Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated December 13, 2004, Case No. 2004.0924E, approving the proposed conversion of an existing office use in two adjoining three-story-over-basement masonry buildings to 13-residential units with basement parking for up to 9 cars; construction of two-additional floors and a stair penthouse, and removal of alternations made to the ground-floor façade and replacement with a new storefront design. The project site is a 6,800 sq. ft. parcel located at 837-847 Montgomery Street, Assessor's Block 176, Lots 3 and 3A, within the C-2 (Community Business) zoning district and a 65A height and bulk district.

The existing buildings are within the Jackson Square Historic District. (Appellant: San Francisco Architectural Heritage represented by their Attorney, Susan Brandt-Hawley, Brandt-Hawley Law Group.)

(Filed January 5, 2005; companion measure to Files 050038, 050039, 050040; District 3.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

17. 050038 [Affirming the categorical exemption issued for 837-847 Montgomery Street]
Motion affirming the determination by the Planning Department that the 837-847 Montgomery Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
18. 050039 [Disapproving the categorical exemption issued for 837-847 Montgomery Street]
Motion disapproving the determination by the Planning Department that the 837-847 Montgomery Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
19. 050040 [Preparation of findings related to the categorical exemption issued for 837-847 Montgomery Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 837-847 Montgomery Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

20. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

21. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 22 through 39

22. 050171 [Retroactively Accept-Expend Federal Funding-HOME American Dream Downpayment Initiative Program and Permanent Housing for the Chronically Homeless Funds]
Supervisor Dufty

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend grants from the U.S. Department of Housing and Urban Development (HUD) for a total amount of \$1,358,286 including \$858,286 for the HOME American Dream Downpayment Initiative Program, and \$500,000 in Competitively Reallocated HOME Funds to Provide Permanent Housing for the Chronically Homeless, authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625.

2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

23. 050180 [Controller's review of Condominium Conversion application process]
Supervisors Duffy, Alioto-Pier, Elsbernd, Ma
Resolution calling for the City Controller to make recommendations on possible improvements in condominium conversion pipeline to streamline processing of approved applications.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
24. 050194 [Initiate the Designation of 2151 Van Ness Avenue, St. Brigid Church, as a Landmark]
Supervisors Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Resolution initiating the designation of 2151 Van Ness Avenue, St. Brigid Church, Block 0575, Lot 015, as a landmark pursuant to Section 1004.1 of the Planning Code.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
25. 050195 [Renew Funding for Metropolitan Community Foundation's Shower]
Supervisor Ammiano
Resolution urging the Mayor's Office of Community Development to fully renew funding for Metropolitan Community Foundation's Shower Project and to fully fund its new case management program.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. 050196 [Progress of Implementation of Proposition H]
Supervisor Ammiano
Resolution urging Superintendent of the San Francisco Unified School District to convene a meeting in a timely manner with and the San Francisco Board of Education and appropriate City Departments to discuss the progress of the implementation of Proposition "H", the Public Education Fund.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 050198 [Condemning Homophobic Violence]
Supervisors Ammiano, Elsbernd
Resolution strongly condemning hate-motivated violence directed against Lesbian, Gay, Bisexual and Transgender individuals and further urging all legal authorities to guarantee that all such violations be punished without discrimination and further urging the US government to give equal consideration to violations based on sexual orientation and gender identity in reporting and formulating policies around the promotion of global human rights.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

28. 050199 [Commending Turning the Tide for its efforts in relief of tsunami victims]
Supervisors Dufty, Ammiano
Resolution commending Turning the Tide for its efforts in relief of tsunami victims.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
29. 050200 ["Give Kids A Smile" Day in San Francisco]
Supervisor Ma
Resolution declaring February 4th, 2005 as "Give Kids A Smile Day" in the City and County of San Francisco.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
30. 050201 [Lunar New Year 2005]
Supervisor Ma
Resolution celebrating the Lunar New Year and proclaiming February 9, 2005, the first day of the Year of the Rooster.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
31. 050202 [Recognizing the month of February as Black History Month]
Supervisors Maxwell, Mirkarimi
Resolution recognizing the month of February as Black History Month.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
32. 050203 [Punxsutawney Phil Day]
Supervisor McGoldrick
Resolution recognizing February 2, 2005 as Punxsutawney Phil Day.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
33. 050204 [Supporting Marine Life Protection Act]
Supervisor Mirkarimi
Resolution supporting Implementation of the Marine Life Protection Act.
- 2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

34. 050205 [Accept-Expend Regional Grant]
Supervisor Mirkarimi
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$6,000.00 from Altamont Education Advisory Board through the City of Livermore to expand recycling and lunchroom composting programs at schools.

2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
35. 050206 [Accept-Expend State Grant]
Supervisor Mirkarimi
Resolution authorizing the Director of Transportation or his designee to apply for, accept, and expend \$134,100 in Caltrans funds to stripe and sign bike lanes and to execute any and all associated documents.

2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
36. 050207 [Commending the establishment of the Department of Chicana and Chicano Studies at the University of California, Los Angeles]
Supervisor Sandoval
Resolution commending the establishment of the Department of Chicana and Chicano Studies at the University of California, Los Angeles.

2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 050208 [Department of Environment to complete a nexus study on a local shopping bag fee]
Mayor, Supervisor Mirkarimi
Resolution instructing the Department of Environment to complete a nexus study in order to identify the relationship between the use of disposable supermarket shopping bags and various costs to the City, and to determine the legality and appropriateness of a local fee on these bags.

2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 050172 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

39. 050174 [Suspending Board Rules to permit the Clerk of the Board to expedite preparation of the Board's 2005-2006 budget for submission to the Mayor]
Supervisor Ammiano
Motion suspending Board Rules 6.23 and 6.24 to permit the Clerk of the Board of Supervisors to expedite preparation of the Board's proposed 2005-2006 fiscal year budget for submission to the Mayor by waiving the requirements that a Committee of the Board conduct a hearing to discuss budget balancing guidelines, and that a Committee hearing be conducted for review of the proposed budget prior to its submission to the Mayor.

2/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 25, 2005 to January 31, 2005, for reference by President to appropriate committee on February 8, 2005.

- 050164 [Settlement of Lawsuit - Evelyn Black v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by Evelyn Black against the City and County of San Francisco for \$137,500; the lawsuit was filed on March 10, 2003 in San Francisco Superior Court, Case No. 418-143; entitled Evelyn Black v. City and County of San Francisco, et al.
(City Attorney)
- 2/1/2005, RECEIVED AND ASSIGNED to Rules Committee.
- 050187 [Changing Official Width of Sidewalk]
Ordinance Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1565 to change the official sidewalk widths on the easterly side of Waverly Place; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes.
(Public Works Department)
- 1/28/2005, RECEIVED AND ASSIGNED to Land Use Committee.
- 050189 [Camp Mather - Fees Increase]
Ordinance amending S.F. Park Code Section 12.01 to increase the Camp Mather cabin and tent site usage fees, amending Park Code Section 12.02 to increase the Camp Mather day use fees, and amending Park Code Section 12.03 to increase the Camp Mather meal fees and making environmental findings.
(City Attorney)
- 1/31/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 25, 2005 to January 31, 2005, for reference by President to appropriate committee on February 8, 2005.

- 050098 [Grant of Metropolitan Transportation Commission Funds]
Authorizing the Municipal Transportation Agency to accept and expend \$212,490 of funds from the Metropolitan Transportation Commission to perform site preparation work at San Francisco Municipal Railway facilities necessary for the installation of TransLink® equipment.
(Municipal Transportation Agency)
- 1/25/2005, RECEIVED AND ASSIGNED to Land Use Committee.
- 050099 [Cesar Chavez Bike Bridge and at-grade pedestrian/bike path on State Route 101 at Cesar Chavez Street]
Resolution approving a maintenance agreement with the State of California, Department of Transportation (Caltrans) for the newly constructed Cesar Chavez Bike Bridge and at-grade pedestrian/bike path on State Route 101 at Cesar Chavez Street and authorizing official acts in furtherance thereof.
(Public Works Department)
- 1/25/2005, RECEIVED AND ASSIGNED to Land Use Committee.
1/31/2005, TRANSFERRED to City Operations and Neighborhood Services Committee. New committee structure effective 2/7/05.

050153

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Sanchez Street, both sides, between 27th and Duncan Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
York Street, west side, between 19th and 20th Streets (700 block, even addresses only); and
25th Street, both sides, between Kansas and Rhode Island Streets (2300 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Dolores Street, east side, between the driveways of 401 and 405 Dolores Street (a 10-foot zone, accommodating two motorcycle parking spaces);
Francisco Street, south side, between the driveways of 1567-1569 and 1573-1575 Francisco Street (8-foot zone, accommodating 2 motorcycle parking spaces); and,
15th Street, north side, from Harrison Street to 7 feet easterly (2 spaces).

UNMETERED MOTORCYCLE PARKING - RESCIND
18th Street, north side, from the west property line of #3922 - 18th Street to 7 feet easterly (7-foot zone accommodating 2 motorcycle parking spaces).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Anza Street, south side, from Masonic Avenue to 500 feet westerly.

NO PARKING ANYTIME - ESTABLISH
Anza Street south side, at Collins Street, along the sidewalk extension.

TOW-AWAY, NO STOPPING - ESTABLISH
Evans Avenue, west side, from Napoleon Street to 100 feet northerly; and
Evans Avenue, east side, from Napoleon Street to 120 feet northerly.

TWO-HOUR PARKING TIME LIMIT, APRIL THROUGH OCTOBER, 7 AM TO 10 PM,
MONDAY THROUGH FRIDAY, 9 AM TO 6 PM, SATURDAY AND SUNDAY AND TWO-
HOUR PARKING TIME LIMIT, NOVEMBER THROUGH MARCH, 7 AM TO 6 PM, MONDAY
THROUGH SATURDAY - RESCIND
Townsend Street, south side, from 2nd Street to 27 feet westerly (rescinds the ballpark hours for motorcycle parking).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
15th Street, south side, between Harrison Street and Treat Avenue.
10-MINUTE PARKING TIME LIMIT, 9 AM TO 6 PM, EVERYDAY - RESCIND
15th Street, north side, from Harrison Street to 8 feet easterly.

20-MINUTE TIME LIMIT, 9 AM TO 6 PM, EVERYDAY - ESTABLISH
15th Street, north side, from Alabama Street to 50 feet easterly.
(Parking and Traffic Department)

(1/24/05:

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2940.)

1/25/2005, RECEIVED AND ASSIGNED to Land Use Committee.

1/31/2005, TRANSFERRED to City Operations and Neighborhood Services Committee. New committee structure effective 2/7/05.

050154 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Broderick and Ellis Streets, stopping Ellis Street at Broderick Street, making this intersection an all-way STOP.

22nd and Illinois Streets, stopping Illinois Street at 22nd Street, making this intersection an all-way STOP;

41st Avenue and Vicente Street, stopping Vicente Street, making this intersection an all-way STOP; and

Duboce Avenue and Scott Street, stopping Duboce Avenue at Scott Street, making this intersection an all-way STOP.

(Parking and Traffic Department)

(1/24/05:

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2940.)

1/25/2005, RECEIVED AND ASSIGNED to Land Use Committee.

1/31/2005, TRANSFERRED to City Operations and Neighborhood Services Committee. New committee structure effective 2/7/05.

050156 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED - ESTABLISH

14th Street, eastbound, at Folsom Street [so that an advanced stop line for bikes ("bike box") can be established].

MULTIPLE LEFT TURN LANES - RESCIND

LEFT LANE MUST TURN LEFT - ESTABLISH

Howard Street, westbound, approaching 11th Street.

(Parking and Traffic Department)

(1/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2944.)

1/25/2005, RECEIVED AND ASSIGNED to Land Use Committee.

1/31/2005, TRANSFERRED to City Operations and Neighborhood Services Committee. New committee structure effective 2/7/05.

050188 [Accept and Expend Grant]

Resolution retroactively authorizing the San Francisco Fire Department (SFFD) to accept and expend a new grant in the amount of \$110,569 from the Corporation for National and Community Service (CNCS) to recruit, deliver Neighborhood Emergency Response Team (NERT) training and develop leadership in San Francisco Residents Age 55 and older, for the period of September 30, 2004 through September 29, 2005.

1/28/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050244 [Petitions and Communications]

Petitions and Communications received from January 25, 2005 through January 31, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 8, 2005.

From Commission on the Environment, transmitting resolution urging the Mayor and the Board of Supervisors to adopt an ordinance requiring a fee on supermarket checkout bags; and a resolution approving the "reduced risk pesticides list" for San Francisco for 2005. (1)

From Office of the Treasurer, submitting quarterly report for the period of October 1, 2004 through December 31, 2004 for the Bureau of Delinquent Revenue. (2)

From Planning Department, submitting an outline of the steps necessary to complete the Draft EIR for the Eastern Neighborhood by December 1, 2005. File 041393 (3)

From Human Services Agency, submitting notice that the Human Services Commission has approved the Department of Human Services' revised savings projections for the Human Services Care Fund. (4)

From Public Utilities Commission, submitting the 2004 Annual Report of the Public Utilities Revenue Bond Oversight Committee. Copy: Each Supervisor (5)

From Central City Progressives, regarding continuance of public hearing for appeal of Conditional Use permit for property located at 606-624 Divisadero Street and 1278 Hayes Street from February 1, 2005 to February 15, 2005. File 050087, Copy: Each Supervisor (6)

From Department of Parking and Traffic, submitting the bi-annual report for fiscal year 2003-04. (7)

From Department of Public Works, submitting copy of letter sent to constituent regarding status of repairing the sinkhole on Alma Street, near Cole Street. Copy: Supervisor Mirkarimi (8)

From Department of Public Works, responding to inquiry on the status of repairing the sinkhole on Alma Street, near Cole Street; Hayes Street, between Clayton and Cole Streets; and the potholes on Divisadero, between Golden Gate Avenue and McAllister Street. (Reference Nos. 20050111-008, 20050111-009 and 20050111-011) Copy: Supervisor Mirkarimi (9)

From Michael Harrity, submitting request to exchange liquor license from a type 47 to a type 48 for Carta, LLC (dba Octavia Lounge) located at 1772 Market Street. (10)

From Office of the Controller, submitting report concerning the review of the \$90 million 1997 bond proceeds of the San Francisco Unified School District as requested by the Citizens' General Obligation Bond Oversight Committee. Copy: Budget Analyst (11)

MAYOR'S APPOINTMENTS

Commission on the Aging
Gustavo Serina

Commission on the Status of Women
Katherine Munter
Jing Xu Lee

Human Rights Commission
Sandy Sohcot
Pat Norman

Health Commission
Roma Guy

(12)

From Supervisor Anniano, requesting the Finance & Budget Committee to meet on Thursday at 1:00 p.m. Copy: Supervisors Daly, Elsbernd, McGoldrick and Ma (13)

From Mayor Newsom, designating various Board Members as Acting-Mayor. Copy: Each Supervisor (14)

From Supervisor Peskin, appointing Supervisor Mirkarimi to serve as member of the regularly scheduled Rules Committee meeting. Copy: Each Supervisor (15)

From concerned citizens, urging the Rules Committee Members to vote against the resolution to dissolve the "Presidio Neighborhood Representative Work Group." Copy: Supervisor Alioto-Pier, Peskin, and Maxwell, 3 letters
File No. 050022 (16)

From Marc Vitone, urging the Board to reconsider the pricing policy of greens fees at Sharp Park in Pacifica. Copy: Supervisor Alioto-Pier, Anniano, Daly (17)

From concerned citizen, expressing his opposition to the recent proposal that San Francisco require people to identify themselves before playing video games. Copy: Each Supervisor (18)

From Sue Meyers, requesting advice from Supervisor Maxwell regarding two development projects concurrently in process – one in front and one behind her residential building at 672-674 Missouri Street. Copy: Supervisor Maxwell (19)

From D David Davies, urging the CCSF to check into the situation of homeless encampments as done in Seattle. (20)

From Office of the Controller, submitting report concerning their audit of Mission Neighborhood Center Inc. (Mission), and its compliance with the CCSF ordinance prohibiting the use of city funds for political activity. (21)

From Risk Management Program, submitting indemnification quarterly report for October – December 2004. (22)

From Office of Emergency Services and Homeland Security, regarding revision to FY 03 Pt 2 Urban Areas Security Initiative Grant Program budget. Copy: Alioto-Pier, File No. 040499 (23)

From Mayor's Office Community Development, announcing the availability of a supplemental Request for Proposals (RFP for the 2005-06 Community Development Block Grant (CDBG) program. (24)

From Juka Takemura, writing to appeal to the Board of Supervisors to request that the new MUNI light at Taraval and 35th Streets, in from of 2444/2450 Taraval Street, be placed at its current location. Copy: Each Supervisors, DPW (25)

From Brandt-Hawley Law Group, regarding the problems with the Bloomingdale's project. (26)

From John Cailleau, requesting that the Ethics Commission appointment remains open. Copy: Each Supervisor (27)

From concerned citizen, urging the Board to secure the MUNI system. Copy: Each Supervisor (28)

From Charles M. Sprincin, expressing his opinion on the management of the Mission District Housing Coalition. (29)

From concerned citizens, expressing appreciation to the Board, specifically, Supervisor Dufty, for protecting the rights of dogs by sponsoring and passing the humane dog law. Copy: Each Supervisor, File No. 041494 (2 letters) (30)

From concerned citizen, writing to seek assistance in finding his good friend named Pearlle Holbert. (31)

From Veronica Tegman, regarding her experience with purchasing a unit available through the City's Deferred Second Loan Program for first time buyers. Copy: Mayor (32)

From Mesha Irizarry, concerning her safety living in the Bayview District Copy: Supervisor Maxwell (33)

From Cross-Toby, seeking assistance in finding his anecdotal evidence of genetic and neurological illnesses. (34)

From Yeggie Dearborn, concerning the number of homeless people sleeping on side walks of Howard Street. Copy: Supervisor Daly (35)

From Starchild, regarding the Civil Service Reform measures Mayor Newsom would present to the voters in November. (36)

From concerned citizens, urging the Board to draft legislation that will do more to attract jobs and business to San Francisco without increasing the size or cost of government. (2 letters) (37)

From concerned citizen, regarding the lack of support from her adult case manager. Copy: Supervisor Daly (38)

From Fran Durr, recognizing the hard work and kindness of the SF Department of Animal Care and Control. Copy: Each Supervisor (39)

From concerned citizen, concerning his opinion on the City government in San Francisco. (40)

From Library Users Association, regarding history buried at San Francisco Public Library Gay & Lesbian Center. (41)

From Jefferson Silver, writing to alert Supervisor Ammiano to the problem that has developed in his neighborhood. Copy: Supervisor Ammiano (42)

From concerned citizen, concerning the way the Board of Supervisors publishes agenda items. Copy: Supervisors Ammiano, Daly, and Elsbernd (43)

From San Francisco Architectural Heritage and K2K Development LLC, requesting a continuance for Public Hearing, appeal of Categorical Exemption for 843-847 Montgomery Street. Copy: Each Supervisor, File No. 050037 (44)

From Coalition for San Francisco Neighborhoods, regarding the Laguna Honda Hospital admissions policy. Copy: Each Supervisor (45)

From Sunshine Ordinance Task Force, submitting Order of Determination regarding Brinkman, et al v. Golden Gate Concourse Authority Case. (46)

From Reuben & Junius, LLP, submitting letter agreeing to the continuance of the hearing regarding 606 – 623 Divisadero Street from February 1 to February 15. Copy: Each Supervisor (47)

From Police Department, submitting report on Compliance Plans for the Equal Access ordinance. (48)

From Employees' Retirement System, regarding Retirement Board resolution urging opposition to proposed Assembly Constitutional Amendment. Copy: Each Supervisor (49)

From concerned citizen, regarding his/her unpleasant experience with a San Francisco Police Officer. (50)

From concerned citizens, concerning the supermarket checkout bags policy recommended by the Department of Environment. Copy: Each Supervisor, File No. 050062 (43 letters) (51)

From concerned citizens, concerning the gun control initiative. Copy: Each Supervisor (2 letters) (52)

From concerned citizens, concerning the ordinance prohibiting smoking on unenclosed areas of City parks and recreational areas in San Francisco open to the public. Copy: Each Supervisor, File No. 041307 (19 letters) (53)

From concerned citizens, regarding Supervisor Daly's behavior. (4 letters) (54)

From concerned citizen, regarding Muni Fare increase. Copy: Each Supervisor (55)

From Mark Fitzpatrick, concerning the press release titled "San Francisco Supervisors Announce Official City Policy. (56)

From Gary Chin, regarding the appropriate funds from the General Reserve to General City Responsibility as charitable contribution for the Tsunami Relief Effort. Copy: Each Supervisor, File No. 050059 (57)

From Sean Patrick Monette-Shaw, regarding Social Rehabilitation Grant at Laguna Honda Hospital. Copy: Supervisor Duffy, McGoldrik, Elsbernd and Ma, File No. 050058 (58)

PROPOSED MOTIONS

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

FEB 11 2005

SAN FRANCISCO
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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 15, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Chair Ammiano, Vice-Chair Maxwell, Supervisor Ma, Commissioner Chin, Commissioner Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audits and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 8, 2005 and January 11, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Mirkarimi

1. 041764 **[Settlement of Lawsuit - American Motorists Insurance Company]**
Ordinance authorizing settlement of the lawsuit filed by American Motorists Insurance Company against the City and County of San Francisco for \$85,000; the lawsuit was filed on November 14, 2001 in San Francisco Superior Court, Case No. 401-290; entitled American Motorists Insurance Co., et al., v. City and County of San Francisco, et al.
(City Attorney)

2/8/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Dufty, Elsbernd

2. 041488 [Regulating Computer Rental Businesses]

Supervisor Ma

Ordinance adding Article 10.2 to the San Francisco Police Code, regulating businesses that rent computer time to patrons by prohibiting minors from using game controllers or renting computer time for purposes of gaming during certain times, requiring supervision, regulating waiting lists, posting hours of operation, and providing for a penalty.

2/8/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 8, 2005 and January 11, 2005 Board Meeting Minutes.

AGENDA CHANGES

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Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Mirkarimi

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(City Attorney)

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Question: Shall this Ordinance be FINALLY PASSED?

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UNFINISHED BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Duffy, Elsbernd

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Ordinance adding Article 10.2 to the San Francisco Police Code, regulating businesses that rent computer time to patrons by prohibiting minors from using game controllers or renting computer time for purposes of gaming during certain times, requiring supervision, regulating waiting lists, posting hours of operation, and providing for a penalty.

2/8/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 050092 [Designating 351-9th Avenue, the Richmond/Senator Milton Marks Branch Library, as a Landmark under Planning Code Article 10]
Supervisor Ma
Ordinance designating 351-9th Avenue, the Richmond/Senator Milton Marks Branch Library, as Landmark No. 247 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, McGoldrick

4. 050187 [Changing Official Width of Sidewalk]
Ordinance Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1565 to change the official sidewalk widths on the easterly side of Waverly Place; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval, McGoldrick

5. 050098 [Grant of Metropolitan Transportation Commission Funds]
Resolution authorizing the Municipal Transportation Agency to accept and expend \$212,490 of funds from the Metropolitan Transportation Commission to perform site preparation work at San Francisco Municipal Railway facilities necessary for the installation of TransLink® equipment.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Peskin

6. 050134 [Requiring City offices to display signs, brochures, and forms for the San Francisco Working Families Credit Program]
Mayor, Supervisors Maxwell, Dufty
Ordinance amending the San Francisco Administrative Code by adding Section 12S.2, to require City offices to display signs, brochures and forms for the San Francisco Working Families Credit Program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 050116 [Meeting Schedule]
Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the May 31, 2005, July 5, 2005, October 11, 2005, November 29, 2005, December 27, 2005 and January 17, 2006, Board meetings and by canceling all Board and Committee meetings from August 17 through September 5, 2005.
(Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

8. 050050 [Limiting Single Supervisor's Ability to Call Matters from Committee]
Supervisor Peskin
Motion amending the Rules of Order of the Board of Supervisors to amend Rule 5.31 Failure of a Committee to Act within 30 Days and Rule 2.14 Committee Action, thereby allowing four Supervisors to call a matter from Committee and allowing one Supervisor to call a matter from Committee that has not been heard in Committee within thirty days of assignment to Committee.

Question: Shall this Motion be APPROVED?

9. 050131 [Rules of Order of the Board – Board Member Report on activities at Regional Agencies]
Supervisor Peskin
Motion amending the Rules of Order 3.9 Roll Call for Introductions to provide a report on activities at regional agencies.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

10. 050087 **[Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street.]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. No.16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 002J, Assessor's Block 1202.

The appellants are opposing the proposed demolition of an assembly building (currently a Baptist Church and before that the Harding Theater) in this neighborhood. (Appellant: David Tornheim, representing the Central City Progressives.)

(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

2/1/2005, CONTINUED. Continued to February 15, 2005.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

11. 050088 **[Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]**
Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
Question: Shall this Motion be APPROVED?
12. 050089 **[Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
Question: Shall this Motion be APPROVED?
13. 050090 **[Findings - 606-624 Divisadero Street and 1278 Hayes Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
Question: Shall this Motion be APPROVED?
14. 050091 **[Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]**
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

15. 050031 [Public Hearing - Appeal of Categorical Exemptions for 1187-1189 Stanyan Street]
Hearing of persons interested in or objecting to the decisions of the Planning Department dated May 14, 2004, approving the following projects to be categorically exempt (Class 3a, allowing up to three-single-family residences in urbanized areas) from environmental review under CEQA:
1. Project described in Building Permit Application No. 2003.09.18.5180 (new single-family dwelling at 1187 Stanyan Street in Assessor's Block 2644, Lot 006); and
 2. Project described in Building Permit Application No. 2003.09.18.5184 (new single-family dwelling at 1189 Stanyan Street in Assessor's Block 2644, Lot 007).
- (Appellants: Deanna Jones, on behalf of Stanyan Street Neighbors and Molley Lowry on behalf of Woodland Avenue Association; Timothy Tosta representing Alvin Pelavin, Elaine Pelavin and Peter Pelavin.)
(Filed December 31, 2004; companion measure to Files 050032, 050033, 050034; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

16. 050032 [Affirming the categorical exemptions issued for 1187 and 1189 Stanyan Street]
Motion affirming the determinations by the Planning Department that the two single-family home projects at 1187 Stanyan Street and 1189 Stanyan Street are categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
17. 050033 [Disapproving the categorical exemptions issued for 1187 and 1189 Stanyan Street]
Motion disapproving the determinations by the Planning Department that the projects at 1187 Stanyan Street and 1189 Stanyan Street are categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

18. 050034 [Preparation of findings related to the categorical exemptions issued for 1187 and 1189 Stanyan Street]
Motion directing the Clerk of the Board to prepare findings related to the appeals of the determinations by the Planning Department that the projects at 1187 Stanyan Street and 1189 Stanyan Street are categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

19. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

20. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 21 through 35

21. 050212 [Accept-Expend Federal Grant]
Supervisor Elsbernd
Resolution authorizing the Office of Emergency Services to accept and expend a Federal Grant in the amount of \$400,000 from the United States Department of Homeland Security for the purpose of providing financial assistance to San Francisco's Metropolitan Medical Response System (MMRS).

2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

22. 050225 [Apology from Margaret Spellings]
Supervisors Ammiano, Dufty
Resolution urging the United States Secretary of Education, Margaret Spellings, to retract her condemnation of the Corporation for Public Broadcasting Stations (PBS) from airing an episode of "Postcards from Buster" depicting a lesbian couple and further urging the Secretary of Education to publicly apologize to gay, lesbian, bisexual and transgender community and offer a public statement in support of tolerance, multiculturalism and free speech.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
23. 050226 [Accept-Expend Gift]
Supervisor Daly
Resolution authorizing the Department of Public Works to accept and expend a gift in the amount of \$115,000 from the San Francisco Foundation, from an account on behalf of Richard N. Goldman as the Chair of the United Nations 50 celebration, for additional capital improvements to United Nations Plaza.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
24. 050228 [Commending the 23rd Annual San Francisco International Asian American Film Festival]
Supervisor Ma
Resolution commending the 23rd Annual San Francisco International Asian American Film Festival.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
25. 050229 [Commending Alice Fong Yu Alternative School]
Supervisors Ma, Elsbernd
Resolution congratulating and commending the Alice Fong Yu Alternative School for ten years of excellence in Chinese Immersion Education.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. 050230 [Community Aggregation and Public Power on Treasure Island]
Supervisor Mirkarimi
Resolution urging that the San Francisco Public Utilities Commission explore, based on the findings of the LAFCO reports, the implementation of Community Aggregation and Public Power on Treasure Island.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

27. **050231** **[Investigate Paperless Facsimile Solutions for City Offices]**
Supervisors Mirkarimi, Peskin
Resolution urging the Department of the Environment in conjunction with the Department of Telecommunications and Information Services to investigate and recommend appropriate electronic paperless fax solutions for City offices.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. **050232** **[Opposing HR-418, the Real ID Act]**
Supervisors Mirkarimi, Sandoval
Resolution urging the United States House of Representatives to oppose "The Real ID Act," H.R. 418.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
29. **050233** **[Appointment - Treasure Island Development Authority]**
Supervisor Peskin
Resolution appointing Supervisor Ross Mirkarimi, indefinite term, as an alternate to Supervisor Chris Daly on the Treasure Island Development Authority Board.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
30. **050234** **[Urging the American Legion Post of San Francisco to determine the authenticity of a flag in the War Memorial that may be the flag unfurled by General Emilio Aguinaldo during the proclamation of Philippine independence on June 12, 1898]**
Supervisors Sandoval, Ma
Resolution Urging the American Legion Post of San Francisco to determine the authenticity of a flag in the War Memorial that may be the flag used by General Emilio Aguinaldo during the proclamation of Philippine independence on June 12, 1898.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
31. **050235** **[Assembly Bill 178, California Cigarette Fire Safety Act]**
Supervisor Sandoval
Resolution urging the California State Legislature to approve AB 178: California Cigarette Fire Safety Act, which requires that all cigarettes sold in California be fire-safe starting in 2006.
- 2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

32. 050236 [Accept-Expend Federal Grant]**Mayor, Supervisor Duffy**

Resolution authorizing the Director of Transportation or his designee to file an application to apply for, accept, and expend \$624,000 in Federal Surface Transportation funds through the Metropolitan Transportation Commission's Regional Bicycle and Pedestrian Program for striping and signing bike lanes, striping ladder cross-walks, and building ADA compliant curb-cuts; committing the necessary local match for the project; stating the assurance of the City and County of San Francisco to complete the project; and to execute any and all associated documents.

2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

33. 050209 [Board Off-site Meetings]**Supervisor Amniano**

Motion ordering the City and School District Select Committee meeting(s) of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on March 14, May 9, July 11, September 12 and November 14, 2005 at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

2/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

34. 050170 [Final Map for a 5 Unit Residential Condominium Project - 1562-1564-1566-1568-1570 Fell Street]

Motion approving Final Map of 1562-1564-1566-1568-1570 Fell Street, A Residential Condominium Project, being a subdivision of Lot 15 in Assessor's Block No. 1207, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)

2/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

35. 050249 [Final Map for a 13 Unit Residential Condominium Project - The Parkside 2418 20th Avenue]

Motion approving Final Map of The Parkside 2418 20th Avenue, A Residential Condominium Project, being a subdivision of Lot 31A in Assessor's Block No. 2406, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)

2/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

36. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 1, 2005 through February 7, 2005, for reference by President to appropriate committee on February 15, 2005.

050245 [Settlement of Lawsuit - John Miller]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against John Miller for the receipt of \$45,000; the lawsuit was filed on March 11, 2003 in San Francisco Superior Court, Case No. 418-214; entitled City and County of San Francisco, et al., v. John Miller, et al.
(City Attorney)

2/7/2005, RECEIVED AND ASSIGNED to Rules Committee.

050246 [Settlement of Lawsuit - Kemper Insurance Co.]

Ordinance authorizing settlement of the lawsuit filed by Kemper Insurance Co. by and through American Manufacturers Mutual Insurance Co. against the City and County of San Francisco for \$46,344.48; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-338; entitled Kemper Insurance Co, et al., v. City and County of San Francisco, et al.
(City Attorney)

2/7/2005, RECEIVED AND ASSIGNED to Rules Committee.

- 050247 [Settlement of Lawsuit - 18th and Arkansas Homeowners Association, et al., v. CCSF, et al.] Ordinance authorizing settlement of the lawsuit filed by 18th and Arkansas Homeowners Association, 1220 Folsom Street Owners' Association, 2412 Harrison Street Owners' Association, India Cove Homeowners Association, 700 Illinois Street Owners' Association, 1415 Indiana Street Owners' Association, Penn Station Lofts Owners' Association, 226 Ritch Street Owners Association, 650 Second Street Owners' Association, San Francisco Flower Growers Association, 2030 Third Street Homeowners' Association, Tehama Lofts Condominium Owners' Association, 1011 23rd Street Owners' Association, and 239 8th Street Homeowners' Association against the City and County of San Francisco for \$65,424.81; the lawsuit was filed on September 27, 2003 in the San Francisco Superior Court, Case No. 424-484; entitled 18th and Arkansas Homeowners Association, et al., v. City and County of San Francisco, et al.

2/7/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 1, 2005 through February 7, 2005, for reference by President to appropriate committee on February 15, 2005.

- 050165 [Airport Concession Lease]
Resolution approving the Remote Terminal Food and Beverage Lease between Bassam & Nancy Shihadeh dba Deli Up Café, and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

2/2/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 050248 [Settlement of Claim - Liberty Mutual Insurance Company]
Resolution approving the settlement of the unlitigated Claim No. 04-02628 filed by Liberty Mutual Insurance Company as subrogee for Cresleigh Management on March 10, 2004 against the City and County of San Francisco for \$33,466.09.
(City Attorney)

2/7/2005, RECEIVED AND ASSIGNED to Rules Committee.

050251 [Petitions and Communications]

Petitions and Communications received from February 1, 2005 through February 7, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 15, 2005.

From C. Lundberg & J. Adams, submitting request to transfer a type 20 liquor license from 335 Powell Street to 2118 Union Street, which will be known as WineStyles. (1)

From Stephen Williams, regarding agreement to continue appeal of exemption from environmental review for 1730-1750 Van Ness Avenue from February 8, 2005 to an indefinite continuance to permit the negotiations to run their course. File 041275, Copy: Each Supervisor (2)

From Office of the Legislative Analyst, submitting report regarding provisional employee hiring practices with other California municipalities' practices of hiring and promoting provisional employees. File 041274 (3)

From Superintendent of Schools, submitting the expenditure plan for the Public Education Enrichment Fund for school year 2005-2006. (4)

From Office of the Controller, submitting report concerning the financial review of the Chinatown Economic Development Group. (5)

From Office of the Legislative Analyst, submitting report regarding on model municipalities with respect to establishing a sports commission in the City and County of San Francisco. File 041552 (6)

From Fire Department, submitting notice that on December 17, 2004 an annual inspection relating to fire and life safety was conducted at the Mission Police Station at 630 Valencia Street. (7)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under management. (8)

From Office of the Treasurer/Tax Collector, submitting the Cash Difference and Overage Fund balance and activities reported to this office for the period ending December 31, 2004. (9)

From Supervisor Daly, submitting support for the appointment of Eileen Hansen to Seat One of the San Francisco's Ethics Commission. Copy: Each Supervisor (10)

From Office of the Controller, submitting report concerning the concession audit of American Airlines. (11)

From Office of the Mayor, designating Supervisor Elsbernd as Acting-Mayor from 9 a.m. on February 8, 2005 until 11 a.m. on February 9, 2005. Copy: Each Supervisor (12)

From various signators, submitting Form 700 Statement of Economic Interests: (13)
Cheryl Brodie, Legislative Assistant to Supervisor Mirkarimi
Tina Tom, Legislative Assistant to Supervisor Sandoval
Andrew Hayward, Legislative Assistant to Supervisor Duffy

From Planning Department, submitting notice that on February 7, 2005, the Planning Department rescinded prior determination of Categorical Exemption of projects at 1187 and 1189 Stanyan Street pending further review of the project. Copy: Each Supervisor (14)

From Tree Shapers, LLC, urging the Board to reconsider the proposed redevelopment of Stanyan Street and Woodland Avenue. File 050031, Copy: Each Supervisor (15)

From Mayor's Office on Disability, submitting notice that the metal barriers in the Tenderloin

(specifically Golden Gate Avenue between Hyde Street and Jones Street, Hyde Street between Golden Gate Avenue and Turk Street, and Leavenworth between Turk and McAllister) do not constitute a violation of the ADA or any other access code. (Reference No. 20041214-004) Copy: Supervisor Daly (16)

From Economic and Workforce Development Department, submitting request for release of reserved funds in the amount of \$823,367 for the Economic and Workforce Development Department. (17)

From Vernon Humphrey, regarding the increased litter in the gutters and in front of businesses on the sidewalks of Diamond, Chenery and Wilder Streets in Glen Park. Copy: Each Supervisor (18)

From concerned citizens, commenting on Muni's proposal to raise fares in the near future. Copy: Each Supervisor (19)

From concerned citizens, submitting support for proposed legislation that bans smoking in public parks. File 041307, Copy: Each Supervisor (20)

From concerned citizens, submitting various communications to and from Richard Skaff regarding ADA access in various locations in San Francisco. (21)

From James Chaffee, regarding an article from the Bay Guardian (10/27/04) that outlines recent ethics violation fines assessed against James Sutton. (22)

From concerned citizens, submitting support for the proposed Civil Service Reform measure to be presented to the voters at this November's election. (23)

From concerned citizens, submitting support for adoption of an ordinance requiring a 17 cent fee on each plastic and paper bag provided at supermarket checkout counters. File 050208, Copy: Each Supervisor (24)

From Raymond Levy, Inc., submitting copy of a Stop Notice that was served to the Director of Public Works. (25)

From L. Adler, submitting comments on the proposed smoking ban in public parks. File 041307, Copy: Each Supervisor (26)

From concerned citizens, submitting support for proposed resolution giving St. Brigid's Church landmark status. File 050194, Copy: Each Supervisor (27)

From Leal Charonnat, submitting updated plans for a room addition at 263 Staples Avenue. (28)

From concerned citizens, commenting on the proposed condominium lottery in San Francisco. File 050177 (29)

From A. Roensch, submitting opposition to proposal to giving St. Brigid's Church landmark status. File 050194, Copy: Each Supervisor (30)

From Sue Vaughan, urging the Board and Mayor to uphold the appeal of the Harding Theater. File 050087, Copy: Each Supervisor (31)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT

FEB 18 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 22, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Chair Ammiano, Vice-Chair Maxwell, Supervisor Ma, Commissioner Chin, Commissioner Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday
1:00 PM

2nd Monday (Bi-Monthly)
4:00 PM

1st and 3rd Monday
1:00 PM

2nd and 4th Monday
1:00 PM

Wednesday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 25, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd

1. 050197 [Contract funds to evaluate the impact of a resource center for drug users, Year 2]
Supervisor Ammiano
 Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into Year 2 of an agreement with the University of California San Francisco (USCSF), the primary contractor, and expend funds in the amount of \$11,836 to provide evaluation services; for the period of July 1, 2004 to June 30, 2005.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

2. 050096 **[Accept-Expend Federal/State Pass Through Grant]**
Resolution authorizing the Department of Public Library to accept and expend an augmentation grant in the amount of \$5,405 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.
(Public Library)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 050092 **[Designating 351-9th Avenue, the Richmond/Senator Milton Marks Branch Library, as a Landmark under Planning Code Article 10]**
Supervisors Ma, Peskin, Elsbernd, McGoldrick, Maxwell, Dufty, Mirkarimi, Ammiano, Sandoval
Ordinance designating 351-9th Avenue, the Richmond/Senator Milton Marks Branch Library, as Landmark No. 247 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

2/15/2005, PASSED ON FIRST READING. Supervisors Peskin, Elsbernd, McGoldrick, Maxwell, Dufty, Mirkarimi, Ammiano, and Sandoval requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, McGoldrick

4. 050187 **[Changing Official Width of Sidewalk]**
Supervisor Peskin
Ordinance Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1565 to change the official sidewalk widths on the easterly side of Waverly Place; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes.
(Public Works Department)

2/15/2005, PASSED ON FIRST READING. Supervisor Peskin requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Alioto-Pier, Peskin

5. 050134 [Requiring City offices to display signs, brochures, and forms for the San Francisco Working Families Credit Program]

Mayor, Supervisors Maxwell, Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 12S.2, to require City offices to display signs, brochures and forms for the San Francisco Working Families Credit Program.

2/15/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd

6. 050045 [Sale of City Property]
Ordinance ordering the sale at public auction of City-owned property located at 1648 Pacific Avenue and 2350 19th Avenue; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.
(Real Estate Department)
(Supervisor Daly dissenting in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 041732 [Settlement of Grievance - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Resolution approving the settlement of the grievance (ERD No. 40-03-1142) filed by United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union") on behalf of Grievants, as identified in Exhibit A attached hereto, against the City and County of San Francisco for \$109,270.76. Other material term of said settlement is that Grievants and Union shall release all claims relating to the aforementioned grievance (ERD No. 40-03-1142).
(City Attorney)

Question: Shall this Resolution be ADOPTED?

8. 050081 [Public Auction]
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.

Question: Shall this Resolution be ADOPTED?

9. 050082 [Exchange of real property within the Japan Center Garage (Lot 34, 35, Assessor's Block 700)]
Resolution authorizing the exchange of certain City-owned real property generally known as a portion of Lot 35, Assessor's Block 700 for certain property owned by Dae Woong Kim, et al generally known as a portion of Lot 34, Assessor's Block 700; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the exchange is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

10. 050097 [Extending Provisional Appointments]

Resolution approving, retroactively, extension to June 30, 2005 of provisional appointments of employees in classifications H-30 Captain (Fire Department), 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0943 Manager VIII, 1952 Purchaser, 5212 Principal Engineer, 7328 Operating Engineer, Universal, and 8216 Senior Parking Control Officer (Human Resources Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

11. 041611 [Authorization for a Local Disease Prevention Demonstration Project]

Supervisors Dufty, Ammiano

Ordinance amending the Health Code to add Section 31 authorizing the Department of Public Health to create and operate a Disease Prevention Demonstration Project to register pharmacies to sell or furnish hypodermic needles without a prescription as allowed under State law, such registration to consist of the department maintaining a list of participating pharmacies, providing such pharmacies with written information for customers on how to access drug treatment, HIV and Hepatitis C testing and treatment, and safe disposal of sharps waste.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

12. 050037 [Public Hearing - Appeal of Categorical Exemption for 837-847 Montgomery Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated December 13, 2004, Case No. 2004.0924E, approving the proposed conversion of an existing office use in two adjoining three-story-over-basement masonry buildings to 13-residential units with basement parking for up to 9 cars; construction of two-additional floors and a stair penthouse, and removal of alterations made to the ground-floor façade and replacement with a new storefront design. The project site is a 6,800 sq. ft. parcel located at 837-847 Montgomery Street, Assessor's Block 176, Lots 3 and 3A, within the C-2 (Community Business) zoning district and a 65A height and bulk district.

The existing buildings are within the Jackson Square Historic District. (Appellant: San Francisco Architectural Heritage represented by their Attorney, Susan Brandt-Hawley, Brandt-Hawley Law Group.)

(Filed January 5, 2005; companion measure to Files 050038, 050039, 050040; District 3.)

2/8/2005, CONTINUED. Continued to February 22, 2005

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

13. 050038 [Affirming the categorical exemption issued for 837-847 Montgomery Street]
Motion affirming the determination by the Planning Department that the 837-847 Montgomery Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

2/8/2005, CONTINUED. Continued to February 22, 2005

Question: Shall this Motion be APPROVED?

14. 050039 [Disapproving the categorical exemption issued for 837-847 Montgomery Street]
Motion disapproving the determination by the Planning Department that the 837-847 Montgomery Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

2/8/2005, CONTINUED. Continued to February 22, 2005

Question: Shall this Motion be APPROVED?

15. 050040 [Preparation of findings related to the categorical exemption issued for 837-847 Montgomery Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 837-847 Montgomery Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

2/8/2005, CONTINUED Continued to February 22, 2005

Question: Shall this Motion be APPROVED?

16. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

17. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 18 through 33

18. 050257 [Supporting California Health Care Coalition of California Works]
Supervisor Ammiano
Resolution supporting the California Health Care Coalition of the California Works Foundation and participating with other public and private purchasers determined to bring significantly greater performance accountability and transparency to the healthcare industry.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

19. 050258 [Amending the terms of all Board of Supervisors' appointees to the Treasure Island/Yerba Buena Island Citizens Advisory Board]
Supervisor Daly
Resolution amending the terms of all Board of Supervisors' appointees to the Treasure Island/Yerba Buena Island Citizens Advisory Board (the "TICAB") to be consistent with the Bylaws of the TICAB.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
20. 050259 [Urging the United States Government to comply with international law regarding the use of torture]
Supervisors Daly, Mirkarimi
Resolution urging the United States Government to comply with international law regarding the use of torture.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
21. 050260 [Open Government: Reinstating CityWatch Telecasts]
Supervisors Daly, Ammiano
Resolution to protect open government by re-instating cable programming for the Police and Planning Commissions on San Francisco Government Television, CityWatch.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
22. 050261 [Accept-Expend Grant from National Endowment for the Arts for Arts Commission]
Supervisor Duffy
Resolution authorizing the San Francisco Arts Commission to accept and expend a grant in the amount of \$50,000 from the National Endowment for the Arts for the advancement of arts education in the San Francisco Unified School District through the efforts and administration of the Arts Education Program.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
23. 050262 [Honoring and commending Community Housing Partnership]
Supervisors Duffy, Daly
Resolution honoring and commending Community Housing Partnership for fifteen years of providing an alternative approach to the crisis of homelessness in San Francisco.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

24. 050263 [Commending International Women's Day]
Supervisors Ma, Maxwell, Alioto-Pier
Resolution commending International Women's Day.
- 2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
25. 050264 [Arts Education Month]
Supervisor Ma
Resolution declaring March 2005 to be "Arts Education Month" in the City and County of San Francisco.
- 2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
26. 050265 [Bill Price Day]
Supervisors Mirkarimi, Ma
Resolution declaring "Bill Price Day" in San Francisco on February 24th 2005 on the occasion of his 90th birthday.
- 2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
27. 050267 [Proclaiming March 2005 as Social Worker Month in San Francisco]
Supervisors Maxwell, Ma, Dufty
Resolution proclaiming March 2005 as Social Worker Month in San Francisco.
- 2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
28. 050268 [Commending Dale Hess]
Supervisors Maxwell, Peskin
Resolution commending Dale Hess for his years of contribution to the City and County of San Francisco and proclaiming March 2, 2005 as Dale Hess Day in San Francisco.
- 2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
29. 050269 [Commending the San Francisco Independent Living Resource Center]
Supervisor Maxwell
Resolution commending the San Francisco Independent Living Resource Center and their partners of the "San Francisco Cross Agency Training on Health, Benefits, Work and Disability" for their efforts to provide workers and job seekers with disabilities accurate information and access to their rights at the workplace.
- 2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

30. 050270 **[Opposing President Bush's Proposed Cuts in Community Development Funding]**
Supervisor Sandoval
Resolution opposing President Bush's proposed cuts in community development funding.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 050271 **[Urging State to adopt Ten Year Plan to End Chronic Homelessness]**
Mayor, Supervisor Daly
Resolution urging the State of California to adopt a Ten Year Plan to End Chronic Homelessness by 2006.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 050272 **[Urging Congress to approve funding for housing and supportive services for the chronically homeless]**
Mayor, Supervisor Dufty
Resolution urging Congress to approve \$200 million for the Samaritan Initiative to implement housing and supportive services strategies to end chronic homelessness.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 050252 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

2/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
- Questions on the For Adoption Without Committee Reference Agenda: _____*

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Moving that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Bottom Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 8, 2005 through February 14, 2005, for reference by President to appropriate committee on February 22, 2005.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 8, 2005 through February 14, 2005, for reference by President to appropriate committee on February 22, 2005.

050237 [Accept-Expend Grant]

Resolution authorizing the Public Library to retroactively accept and expend a grant in the amount of \$23,400 from the Friends of the San Francisco Public Library for a part-time, as needed, editor for the publication, At the Public Library.
(Public Library)

2/11/2005. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050291 [Petitions and Communications]

Petitions and Communications received from February 8, 2005 through February 14, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 22, 2005.

From concerned citizens, submitting opposition to proposal to charge a 17-cent fee on each plastic and paper bag provided to customers at grocery store checkout counters. Approximately 300 letters (1)

From Planning Department, submitting copy of letter sent to Mission Coalition for Economic Justice and Jobs regarding their continued belief that they were excluded from discussions about the Mission District. Copy: Supervisor Ammiano (2)

From concerned citizens, submitting support for the proposal to charge a 17-cent fee on each plastic and paper bag provided to customers at grocery store checkout counters. 2 letters (3)

From the Russian Hill Improvement Association, urging the Board to draft and pass legislation requiring the City to notify the public of the intent to remove or substantially alter any tree or trees that would environmentally impact a neighborhood or locate. Copy: Supervisor Peskin (4)

From Karen Erickson, submitting support for proposed legislation regarding Tenancies in Common. Copy: Supervisors Alioto-Pier, Dufty (5)

From James Chaffee, regarding the controversy of the San Francisco Public Library adopting "Radio Frequency Identification" also known as RFID, for its circulation and security system. Copy: Each Supervisor (6)

From S.F. Botanical Garden, submitting opposition to proposal to build several housing units on the east-facing slope of Mt. Sutro in San Francisco. File 050031, Copy: Each Supervisor (7)

From Office of the Controller, submitting the six-month Budget Status Report that is based on sources of funds received and uses of funds from July 1, 2004 through December 31, 2004. Copy: Each Supervisor (8)

From Office of the Legislative Analyst, submitting report analyzing the impact of the proposed Limited Equity Conversion ordinance on the City's rental housing stock, the vacancy rate, and low and high-income renters. File 032031 (9)

From Barry Eisenberg, submitting opposition to the Port Commission's proposal to bring the USS Iowa to San Francisco as a tourist attraction. (10)

From SF Environment, submitting request for the release of reserved funds in the amount of \$237,863 to pay rent for the remainder of the fiscal year, and to have the flexibility to negotiate with landlord for additional space as needed. (11)

From Department of Public Works, submitting request for release of reserved funds in the amount of \$1,677,339 to fund the construction of a current alleyway construction contract and the design and construction of two future alleyway construction contracts. (12)

From Interim Administrator, Sunshine Ordinance Task Force, submitting copy of letter sent to Ahimsa Sumchai confirming receipt of modified complaint dated 1/20/05. (13)

From Redevelopment Agency, submitting findings in connection with the proposed ordinance adopting and approving the redevelopment plan for the Transbay Redevelopment Project Area. File 050184, Copy: Each Supervisor (14)

From Department of Parking and Traffic, concerning the feasibility of installing an all-way stop control at the intersection of Fillmore and Grove Streets. (Reference No. 20050111-006) Copy: Supervisor Mirkarimi (15)

From Department of Parking and Traffic, concerning the feasibility of installing additional stop signs at the intersection of Del Sur Avenue and Juanita Way. (Reference No. 20041019-001) Copy: Supervisor Elsbernd (16)

From Lloyd Schloegel, submitting opposition to demolishing the UC Berkeley Extension Campus on Laguna Street and build affordable housing units at that site; and suggesting a park is needed in that area. (17)

From concerned employee, submitting copy of letter sent to Department of Human Resources regarding violence in the workplace. (18)

From Immigrant Rights Commission, submitting copy of letter sent to several City departments regarding requirement to submit an annual compliance plan for review and approval by February 1, 2005. Copy: Each Supervisor (19)

From Lori Eppstein, submitting copy of petition (with 30 signatures) sent to the Planning Department opposing the installation of additional cell phone antennas at 2000 Van Ness Avenue. (20)

From concerned citizens, submitting support for the appointment of Eileen Hansen to the Ethics Commission. File 041775, 11 letters (21)

From concerned citizens, submitting opposition to the appointment of Eileen Hansen to the Ethics Commission. File 041775, 3 letters (22)

From concerned citizens, submitting support for the proposed Civil Service Reform measure to be placed before the voters at this November 2005 election. (23)

From concerned citizens, urging the Board to draft legislation that will do more to attract jobs and businesses to San Francisco. (24)

From SF Neighborhood Theater Foundation, submitting opposition to the Planning Commission's approval of Conditional Use for property located 606-624 Divisadero and 1278 Hayes Street that would demolish an assembly building (currently a Baptist Church and before that the Harding Theater). File 050087, Copy: Each Supervisor (25)

From Department of Public Health, submitting quarterly AIDS surveillance report through December 2004. (26)

From Office of the Controller, submitting report concerning audit of Advent Capital Management, LLC and its compliance with the City and County of San Francisco ordinance prohibiting the use of city funds for political activity. (27)

From Shute, Mihaly & Weinberger LLP, regarding the City and County of San Francisco v. Myers Natoma Venture et al., San Francisco Superior Court, Case No. 435-334. Copy: Supervisor Daly, City Attorney (28)

From Marilyn Amini, urging the Board to re-refer to the Rules Committee the proposed legislation limiting a single Supervisor's ability to call a matter from Committee. File 050050, Copy: Each Supervisor (29)

From Central City Progressives, submitting exhibit 17 to appellant's pre-hearing submission for the Harding Theater located at 606-624 Divisadero Street and 1278 Hayes Street. File 050087, Copy: Each Supervisor (30)

From Ahimsa Sumchai, submitting various communications alleging criminal violations with the Hunters Point Shipyard Development Plan. (31)

From concerned citizens, submitting support for proposed resolution giving St. Brigid's Church landmark status. File 050194, Copy: Each Supervisor (32)

From Via Vigil, commenting on the issue of St. Brigid's Church and several reasons why it should remain closed. File 050194, Copy: Each Supervisor (33)

From Sean Patrick Monette-Shaw, submitting letter regarding social rehabilitation at Laguna Honda Hospital. File 050058, Copy: Each Supervisor (34)

From Susan Vaughan, submitting support for enforcing the ban of vehicles 6,000 pounds and over on certain City streets. Copy: Each Supervisor (35)

From Debra Johnson, urging the Board to convene hearings on the matter of UCSF's animal experimentation and hold the members of UCSF accountable for the promises it made to improve the treatment of animals in its labs. (36)

APPOINTMENTS BY THE MAYOR

Health Service Board

Dr. Mitch Katz

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

FEB 25 2005

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 1, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

City and School District Select Committee

Chair Ammiano, Vice-Chair Maxwell, Supervisor Ma, Commissioner Chin, Commissioner Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the February 1, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Elsbernd

1. 050171 **[Retroactively Accept-Expend Federal Funding-HOME American Dream Downpayment Initiative Program and Permanent Housing for the Chronically Homeless Funds]**
Supervisors Dufty, Elsbernd
Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend grants from the U.S. Department of Housing and Urban Development (HUD) for a total amount of \$1,358,286 including \$858,286 for the HOME American Dream Downpayment Initiative Program, and \$500,000 in Competitively Reallocated HOME Funds to Provide Permanent Housing for the Chronically Homeless, authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625.

2/8/2005, REFERRED to Budget and Finance Committee. Supervisor Daly requested that this matter be referred to Committee.

Supervisor Elsbernd requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

2. 050175 [Improve retention of nurses and patient outcomes at San Francisco General Hospital]
Supervisor Ammiano

Resolution authorizing the San Francisco Department of Public Health/San Francisco General Hospital (SFDPH/SFGH) to accept retroactively and expend grant funds in the first year amount of \$626,650 from an award to the San Francisco General Hospital Foundation (SFGHF) from the Gordon and Betty Moore Foundation to improve retention of nurses and patient outcomes at San Francisco General Hospital and to add one new position at SFDPH/SFGH; for the period of December 1, 2004, to November 30, 2005.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

3. 041611 [Authorization for a Local Disease Prevention Demonstration Project]
Supervisors Dufty, Ammiano, Mirkarimi

Ordinance amending the Health Code to add Section 31 authorizing the Department of Public Health to create and operate a Disease Prevention Demonstration Project to register pharmacies to sell or furnish hypodermic needles without a prescription as allowed under State law, such registration to consist of the department maintaining a list of participating pharmacies, providing such pharmacies with written information for customers on how to access drug treatment, HIV and Hepatitis C testing and treatment, and safe disposal of sharps waste.

2/22/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Peskin

4. 041763 [Settlement of Lawsuit - Israel Flores]

Ordinance authorizing settlement of the lawsuit filed by Israel Flores against the City and County of San Francisco for \$85,000.00; the lawsuit was filed on September 18, 2003 in the United States District Court, Northern District, Case No. C03-4262 SBA; entitled Israel Flores v. City and County of San Francisco, et al; other material terms of said settlement are the City shall waive its lien in the amount of \$33,740.60, representing the value of medical services provided to Israel Flores for injuries sustained in the relevant incident.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 050094 [Settlement of Lawsuit - Rebecca Sturtz v. CCSF]

Ordinance authorizing settlement in the matter of Rebecca Sturtz v. City and County of San Francisco for \$65,000. The lawsuit was filed on June 3, 2003 in San Francisco Superior Court, Case No. 415-227; entitled Rebecca Sturtz v. City and County of San Francisco; Raymond E. Batz Jr., Gary D. Curto, Albert J. Fernandez, Charles Krieger, Timothy J. Miles, Harry Paretchan, William Shore, and Does I through XX, inclusive.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 050164 [Settlement of Lawsuit - Evelyn Black v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by Evelyn Black against the City and County of San Francisco for \$137,500; the lawsuit was filed on March 10, 2003 in San Francisco Superior Court, Case No. 418-143, entitled Evelyn Black v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 050246 [Settlement of Lawsuit - Kemper Insurance Co.]
Ordinance authorizing settlement of the lawsuit filed by Kemper Insurance Co. by and through American Manufacturers Mutual Insurance Co. against the City and County of San Francisco for \$46,344.48; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-338; entitled Kemper Insurance Co, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 050247 [Settlement of Lawsuit - 18th and Arkansas Homeowners Association, et al., v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by 18th and Arkansas Homeowners Association, 1220 Folsom Street Owners' Association, 2412 Harrison Street Owners' Association, India Cove Homeowners Association, 700 Illinois Street Owners' Association, 1415 Indiana Street Owners' Association, Penn Station Lofts Owners' Association, 226 Ritch Street Owners Association, 650 Second Street Owners' Association, San Francisco Flower Growers Association, 2030 Third Street Homeowners' Association, Tehama Lofts Condominium Owners' Association, 1011 23rd Street Owners' Association, and 239 8th Street Homeowners' Association against the City and County of San Francisco for \$65,424.81; the lawsuit was filed on September 27, 2003 in the San Francisco Superior Court, Case No. 424-484; entitled 18th and Arkansas Homeowners Association, et al., v. City and County of San Francisco, et al.

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 050080 [One Year Tolling Agreement]
Resolution approving the City Attorney's entry into a mutual tolling agreement governing administrative claims or suit by the City of Daly City ("Daly City") against the City and County of San Francisco ("San Francisco") and/or San Francisco against Daly City.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

10. 050248 [Settlement of Claim - Liberty Mutual Insurance Company]
Resolution approving the settlement of the unlitigated Claim No. 04-02628 filed by Liberty Mutual Insurance Company as subrogee for Cresleigh Management on March 10, 2004 against the City and County of San Francisco for \$33,466.09.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd

11. 050045 [Sale of City Property]
Ordinance ordering the sale at public auction of City-owned property located at 1648 Pacific Avenue and 2350 19th Avenue; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.
(Real Estate Department)

2/22/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/22/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole***(Pending approval of File No. 050321.)*

12. 050302 [Hearing - Proposed motion amending the Rules of the Board of Supervisors by amending Rule 5.1]
Hearing to discuss the proposed motion amending the Rules of the Board of Supervisors by amending Rule 5.1 to create a subcommittee of the Budget and Finance Committee.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

13. 050303 [Creating a Subcommittee of the Budget and Finance Committee]
Motion amending the Rules of the Board of Supervisors by amending Rule 5.1 to create a subcommittee of the Budget and Finance Committee.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

14. 050110 [Public Hearing - Appeal of Categorical Exemption for 3775-21st Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated January 10, 2005, Case No. 2004.0446V, approving both the front setback and rear yard variances for the revised third story addition at the existing two-story, single-family dwelling. The project site is located at 3775-21st Street, south side between Noc and Sanchez Streets; Lot 090 in Assessor's Block 3621 in an RH-1 (Residential, House, One-Family) District and Dolores Heights Special Use District and a 40-X Height and Bulk District.

The appellant challenges the grant of categorical exemption on the grounds that the variance in land use is not "minor" under the terms of the statute and that given the site location and history, the granting of categorical exemption is not appropriate because the project could have dramatic negative impacts to the environment of the immediate neighborhood and the Special Use District in which it is located. (Appellant: Stephen M. Williams, Law Office of Stephen M. Williams, Attorneys and Counselors at Law.)

(Filed January 19, 2005; companion measure to Files 050112, 050113, 050114; District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

15. 050112 [Affirming the categorical exemption issued for 3775 21st Street]
Motion affirming the determination by the Planning Department that the 3775 21st Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
16. 050113 [Disapproving the categorical exemption issued for 3775 21st Street]
Motion disapproving the determination by the Planning Department that the 3775 21st Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
17. 050114 [Preparation of findings related to the categorical exemption issued for 3775 21st Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 3775 21st Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item was considered by the Budget and Finance Committee at a Regular Meeting on Thursday, February 24, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 1, 2005.

18. 050133 [Defense Costs of Residential Hotel Ordinance]
Supervisor Peskin
Ordinance amending Section 41.13 of the San Francisco Administrative Code, the Residential Hotel Unit Conversion and Demolition Ordinance, to clarify that funds in the Residential Hotel Preservation Fund may be expended both to create replacement housing and to administer the Ordinance, including defending it against legal challenge.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

19. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

20. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 21 through 35

21. 050321 [Board waiver of committee reference requirement and convening as a Committee of the Whole for purposes of considering an amendment to Board Rule 5.1, which would create a subcommittee of the Budget and Finance Committee]
Supervisors Ammiano, Daly, Elsbernd, Ma
Motion suspending Rule 4.38 of the Rules of Order of the San Francisco Board of Supervisors to consider, without reference to committee, an amendment to Board Rule 5.1 which would create a subcommittee of the Budget and Finance Committee of the San Francisco Board of Supervisors; motion that the Board sit as a Committee of the Whole on March 1, 2005, for the purpose of considering the proposed amendment to Rule 5.1.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
22. 050239 [Canceling March 8, 2005, Board of Supervisors meeting]
Supervisor Peskin
Motion canceling March 8, 2005, meeting of the Board of Supervisors.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
23. 050240 [Endorsing Community Choice Aggregation Bill of Rights]
Supervisor Ammiano
Resolution endorsing Local Power's Community Choice Aggregation Bill of Rights, to clarify and expand the authorities of Cities and Counties such as San Francisco with respect to large scale solar energy, efficiency and other conservation technologies and further urging California Senator Migden and California Assembly member Mark Leno to jointly file aforementioned Community Choice Aggregation Bill of Rights by the legislative deadline.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

24. 050241 [Congratulating The 15 Association on its twenty-fifth anniversary]
Supervisors Duffy, Annunzio
Resolution congratulating The 15 Association on its twenty-fifth anniversary.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
25. 050242 [Substance Abuse and Mental Health Services Administration (SAMHSA)]
Supervisors Duffy, Annunzio
Resolution repudiating the Substance Abuse and Mental Health Services Administration (SAMHSA), a division of the Department of Health and Human Services, for deleting the words "gay," "lesbian," "bisexual" and transgender" from the title of an upcoming suicide prevention workshop.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
26. 050243 [School Breakfast Week]
Supervisor Ma
Resolution declaring March 7 – 11, 2005 as "School Breakfast Week" in the City and County of San Francisco.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
27. 050278 [National Black Family Technology Awareness Week]
Supervisor Maxwell
Resolution recognizing February 13-19, 2005 as National Black Family Technology Awareness Week and commending IBM, the Career Communications Group and its local partners at the San Francisco Unified School District in hosting a Family Technology Night to highlight this issue.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
28. 050279 [Landmarking of the Grid of Pollared in the Music Concourse Bowl, Golden Gate Park]
Supervisor Mirkarimi
Resolution urging the Planning Commission, the Planning Department and the Landmarks Preservation Advisory Board to landmark the Music Concourse and to include in the landmarking ordinance language protecting the historic grid of pollarded trees, and urging the Recreation and Park Commission, the Department of Recreation and Park, the Golden Gate Park Concourse Authority and Music Concourse Community Partnership to protect the integrity of existing trees during construction.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

29. 050280 [Punch Gallery Day]
Supervisor Mirkarimi
Resolution proclaiming February 25, 2005 as Punch Gallery Day.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 050281 [Commending the Korean-American Community Center]
Supervisors Mirkarimi, Ma
Resolution commending Korean-American Community Center for its efforts in relief of tsunami victims.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 050282 [Dr. Anita Friedman Day]
Supervisor Peskin
Resolution declaring March 19, 2005 Dr. Anita Friedman Day.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 050283 [City Policy Regarding Contract Approval]
Supervisor Peskin
Resolution making it the policy of the City and County that the Board of Supervisors not approve the exercise of options to renew contracts and leases under Charter Section 9.118 where the initial term together with the extension would exceed ten years, if the original agreement was not brought to the Board for its information and review before the agreement was executed.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 050284 [Assembly Bill 232]
Supervisors Sandoval, Ma
Resolution urging the California State Legislature to pass AB 232 which will increase state funding to community college nursing programs.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

34. 050285 [Assembly Bill 41]
Supervisors Sandoval, Ma
Resolution urging the California State Legislature to approve AB 41: Human Trafficking Act, which establishes the crime of trafficking of a person for forced labor or services and the crime of trafficking of a minor for sexual servitude, providing various sentencing enhancements for these offenses. The bill would also impose state-mandated programs and require restitution to trafficking victims.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

35. 050286 [Urging Congress to retain funding for housing programs in the 2006 Department of Housing and Urban Development budget]

Mayor, Supervisor Peskin

Resolution expressing grave concern about President George W. Bush's proposed budget for the Department of Housing and Urban Development for fiscal year 2006 and urging Congress to retain funding for programs related to the development and preservation of affordable housing.

2/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

36. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 15, 2005 to February 18, 2005, for reference by President to appropriate committee on March 1, 2005.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 15, 2005 to February 18, 2005, for reference by President to appropriate committee on March 1, 2005.

None.

050323

[Petitions and Communications]

Petitions and Communications received from February 15, 2005 through February 18, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 1, 2005.

From Howard Chabner, submitting a follow up to his December 31, 2004 letter regarding safety at Laguna Honda Hospital. Copy: Each Supervisor (1)

From Paul Otellini, submitting opposition to proposal to construct a traffic control zone in the downtown area, along the lines of the London project. Copy: Each Supervisor (2)

From S.F. Bicycle Advisory Committee, submitting support for the Planning Department's Rincon Hill Plan Draft, specifically the streetscape and traffic proposal as presented to the Bicycle Advisory Committee at it's January 2005 meeting. Copy: Each Supervisor (3)

From Department of Parking and Traffic, regarding the feasibility of installing pedestrian safety improvements for the new senior housing development at 5199 Mission Street. (Reference No. 20050111-001) Copy: Supervisor Sandoval (4)

From Mayor's Office/OCA Purchasing Division, submitting request for waiver of Administrative Code Chapters 12B and 12C for Ford Motor Company for a vehicle lease agreement. (5)

From Police Department, submitting request for waiver of Administrative Code Chapters 12B and 12C for the Holiday Inn Golden Gateway at 1500 Van Ness Avenue. (6)

From Public Library, concerning sending two hard copies of official publications to the library, Government Information Center. Copy: Each Supervisor (7)

From Small Business Commission, submitting support for proposed ordinance that requires City offices to display signs, brochures and forms for the S.F. working Families Credit Program. File 050134, Copy: Each Supervisor (8)

From Jonathan Chiu, submitting request to exchange a type 47 liquor license for a type 48 on-sale general public premises license for a nightclub at 1151 Folsom Street. (9)

From Recreation and Park Department, submitting second quarter report for fiscal year 04-05 in response to the requirements of Resolution 157-99 regarding Lead Poisoning Prevention. Copy: Supervisors Maxwell, Daly (10)

From Office of the Controller, submitting report concerning the audit of the Water Department's cash revolving fund maintained by the Public Utilities Commission. (11)

From Office of the Controller, submitting report concerning the audit of the Hetch Hetchy Water and Power cash revolving fund maintained by the Public Utilities Commission. (12)

From Steve Malik, submitting copy of protest letters sent to the Metropolitan Transit Agency and the Police Department regarding alleged unacceptable behavior by two Muni fare inspectors and two police officers for not letting him photograph underground Muni Stations. (13)

From Steefel, Levitt & Weiss, regarding the City and County of San Francisco v. Myers Natoma Venture et al., Superior Court, Case No. 435-334. Copy: Each Supervisor (14)

From Ley, Ramn & Olson, regarding appeal from the decision of the Planning Commission regarding the matter of the Harding Theater. File 050087-91, Copy: Each Supervisor (15)

From North of Panhandle Neighborhood Association, submitting support for delaying the demolition of the Harding Theater, for a period of time that is in line with the Board of Supervisors appeal process. File 050087-91, Copy: Each Supervisor (16)

From concerned citizens, submitting opposition to proposal to charge a 17-cent fee on each plastic and paper bag provided to customers at grocery store checkout counters. (17)

From concerned citizens, submitting support for the proposed Civil Service Reform measure to be placed before the voters at this November 2005 election. (18)

From Upper Noe Neighbors, expressing their dismay at the deletion of funding for TV and online broadcasts of Planning Commission hearings. (19)

From James Chaffee, commenting on how a new City Librarian should be selected. Copy: Each Supervisor (20)

From Planning Department, regarding the recession of Certificate of Determination of Exemption/Exclusion from Environmental Review for 837-847 Montgomery Street project. File 050037, Copy: Each Supervisor, City Attorney (21)

From Gladstone & Associates, submitting response to appeal of Categorical Exemption for 3775 – 21st Street. File 050110, Copy: Each Supervisor (22)

From Eureka Valley Promotion Association, submitting opposition to extending hours of operation for Café Flore and The Café; and requesting the Planning Department and the Board of Supervisors prohibit operation of bars and restaurants past 2:00 am unless a letter of support is presented by both MUMC and EVPA for the extension of hours in any operation in the greater Castro and Eureka Valley neighborhoods of San Francisco. Copy: Supervisor Dufty (23)

From Andrea and Rick O'Leary, commenting on proposal for a play area for dogs in Duboce Park. (24)

From California Public Utilities Commission, submitting notice that on January 20, 2005, Pacific Gas & Electric Company filed application to implement "default critical peak pricing rate options" for large customers with demands over 200 KW. Copy: Each Supervisor (25)

From Coalition for San Francisco Neighborhoods, urging the Board of Supervisors to continue proposed legislation regarding the rezoning and sale of property at 2350 19th Avenue until such time as research can be completed to establish the true architectural and historic significance of this building and its potential for landmark status. Files 041767, 050045, Copy: Each Supervisor (26)

From Jennifer Steinmetz, submitting support for proposed Subdivision Code amendment regarding 100% owner-occupied tenancy-in-common. File 050177 (27)

From Ahimsa Sumchai, submitting letter alleging criminal violations with the Hunters Point Shipyard Development Plan. (28)

From Office of the Mayor, submitting appointment of Ken Cleveland to the Public Utilities Commission Citizen's Advisory Committee to the seat representing the large San Francisco water users. (29)

APPOINTMENTS BY THE MAYOR

Board of Appeals

Mike Garcia

Health Commission

Lee Ann Monfredini

Dr. David Sanchez

Juvenile Probation Commission

Jacqueline Ricci

James Rodriguez

Library Commission

Jewelle Gomez

Commission on the Status of Women

Andrea Shorter

Public Utilities Commission

Ann Moller Caen

Treasure Island Development Authority Board of Directors

Jesse Blout

Matthew Franklin

ADJOURNMENT



BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

DOCUMENTS DEPT.

Acad
Notice of Canceled Meeting
Board of Supervisors
March 8, 2005 at 2:00 p.m.

MAR - 4 2005

SAN FRANCISCO
PUBLIC LIBRARY

05-04-16 AT 6 50 00 PM

*3
1/05
canceled*

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the San Francisco Board of Supervisors for March 8, 2005 has been canceled.

The next regular meeting will be held on Tuesday, March 15, 2005 at 2:00 p.m., in the Legislative Chamber, Second Floor, 1 Dr. Carlton B. Goodlett Place, Room 250, San Francisco.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAR 11 2005

SAN FRANCISCO
PUBLIC LIBRARY

43-11-05 APR 25 2005

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 15, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday
1:00 PM

Thursday
11:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

1st and 3rd Monday
1:00 PM

2nd and 4th Monday
1:00 PM

Wednesday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the February 8, 2005 and February 15, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd

1. 050133 [Defense Costs of Residential Hotel Ordinance]

Supervisor Peskin

Ordinance amending Section 41.13 of the San Francisco Administrative Code, the Residential Hotel Unit Conversion and Demolition Ordinance, to clarify that funds in the Residential Hotel Preservation Fund may be expended both to create replacement housing and to defend the Ordinance against legal challenge.

3/1/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

2. 050070 [STOP Intersections]

Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Arlington Street at Roanoke Street, making this intersection an All-Way STOP; and
Arlington Street at Mateo Street, making this intersection an All-Way STOP.

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

3. 050151 [Accept-Expend State Grant]

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the State Office of Emergency Services for a project entitled "Law Enforcement Specialized Unit (LESU) – Violence Against Women Program," and agreeing to accept an in-kind match from La Casa De Las Madres for a Victim Advocate position, and waiving indirect costs due to funding constraints.
(Police Department)

Question: Shall this Resolution be ADOPTED?

4. 050154 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Broderick and Ellis Streets, stopping Ellis Street at Broderick Street, making this intersection an all-way STOP;

22nd and Illinois Streets, stopping Illinois Street at 22nd Street, making this intersection an all-way STOP;

41st Avenue and Vicente Street, stopping Vicente Street, making this intersection an all-way STOP; and

Duboce Avenue and Scott Street, stopping Duboce Avenue at Scott Street, making this intersection an all-way STOP.

(Parking and Traffic Department)

(1/24/05:

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2940.)

Question: Shall this Resolution be ADOPTED?

5. 050155 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.
- LEFT LANE MUST TURN LEFT - RESCIND
Anza Street, eastbound, at Masonic Avenue.
- NO LEFT TURN - RESCIND
Twin Peaks Boulevard, northbound, onto westbound Carmel Street
- NO LEFT TURN - ESTABLISH
505 Parnassus Avenue driveway exit (mid-block between 3rd Avenue and Hillway Street).
- RIGHT OR LEFT TURNS ONLY - ESTABLISH
Baker Street, northbound, at Turk Street.
(Parking and Traffic Department)
- (1/24/05:
Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2940.)
- Question: Shall this Resolution be ADOPTED?
6. 050156 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.
- NO TURN ON RED - ESTABLISH
14th Street, eastbound, at Folsom Street [so that an advanced stop line for bikes ("bike box") can be established].
- MULTIPLE LEFT TURN LANES - RESCIND
LEFT LANE MUST TURN LEFT - ESTABLISH
Howard Street, westbound, approaching 11th Street.
(Parking and Traffic Department)
- (1/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2944.)
- Question: Shall this Resolution be ADOPTED?
7. 050188 [Accept and Expend Grant]
Supervisors Elsbernd, Ma
Resolution retroactively authorizing the San Francisco Fire Department (SFFD) to accept and expend a new grant in the amount of \$110,569 from the Corporation for National and Community Service (CNCS) to recruit, deliver Neighborhood Emergency Response Team (NERT) training and develop leadership in San Francisco residents age 55 and older, for the period of September 30, 2004 through September 29, 2005.
- Question: Shall this Resolution be ADOPTED?

8. 050153 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Sanchez Street, both sides, between 27th and Duncan Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

York Street, west side, between 19th and 20th Streets (700 block, even addresses only); and 25th Street, both sides, between Kansas and Rhode Island Streets (2300 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Dolores Street, east side, between the driveways of 401 and 405 Dolores Street (a 10-foot zone, accommodating two motorcycle parking spaces);

Francisco Street, south side, between the driveways of 1567-1569 and 1573-1575 Francisco Street (8-foot zone, accommodating 2 motorcycle parking spaces); and,

15th Street, north side, from Harrison Street to 7 feet easterly (2 spaces).

UNMETERED MOTORCYCLE PARKING - RESCIND

18th Street, north side, from the west property line of #3922 - 18th Street to 7 feet easterly (7-foot zone accommodating 2 motorcycle parking spaces).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Anza Street, south side, from Masonic Avenue to 500 feet westerly.

NO PARKING ANYTIME - ESTABLISH

Anza Street south side, at Collins Street, along the sidewalk extension.

TOW-AWAY, NO STOPPING - ESTABLISH

Evans Avenue, west side, from Napoleon Street to 100 feet northerly; and

Evans Avenue, east side, from Napoleon Street to 120 feet northerly.

TWO-HOUR PARKING TIME LIMIT, APRIL THROUGH OCTOBER, 7 AM TO 10 PM, MONDAY THROUGH FRIDAY, 9 AM TO 6 PM, SATURDAY AND SUNDAY AND TWO-HOUR PARKING TIME LIMIT, NOVEMBER THROUGH MARCH, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND

Townsend Street, south side, from 2nd Street to 27 feet westerly (rescinds the ballpark hours for motorcycle parking).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

15th Street, south side, between Harrison Street and Treat Avenue.

10-MINUTE PARKING TIME LIMIT, 9 AM TO 6 PM, EVERYDAY - RESCIND

15th Street, north side, from Harrison Street to 8 feet easterly.

20-MINUTE TIME LIMIT, 9 AM TO 6 PM, EVERYDAY - ESTABLISH

15th Street, north side, from Alabama Street to 50 feet easterly.

(Parking and Traffic Department)

(1/24/05:

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2940.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present. Supervisors Mirkarimi, Peskin

9. 041763 [Settlement of Lawsuit - Israel Flores]
Ordinance authorizing settlement of the lawsuit filed by Israel Flores against the City and County of San Francisco for \$85,000.00; the lawsuit was filed on September 18, 2003 in the United States District Court, Northern District, Case No. C03-4262 SBA; entitled Israel Flores v. City and County of San Francisco, et al; other material terms of said settlement are the City shall waive its lien in the amount of \$33,740.60, representing the value of medical services provided to Israel Flores for injuries sustained in the relevant incident.
(City Attorney)
- 3/1/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 050094 [Settlement of Lawsuit - Rebecca Sturtz v. CCSF]
Ordinance authorizing settlement in the matter of Rebecca Sturtz v. City and County of San Francisco for \$65,000. The lawsuit was filed on June 3, 2003 in San Francisco Superior Court, Case No. 415-227; entitled Rebecca Sturtz v. City and County of San Francisco; Raymond E. Batz Jr., Gary D. Curto, Albert J. Fernandez, Charles Krieger, Timothy J. Miles, Harry Parechan, William Shore, and Does I through XX, inclusive.
(City Attorney)
- 3/1/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
11. 050164 [Settlement of Lawsuit - Evelyn Black v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by Evelyn Black against the City and County of San Francisco for \$137,500; the lawsuit was filed on March 10, 2003 in San Francisco Superior Court, Case No. 418-143; entitled Evelyn Black v. City and County of San Francisco, et al.
(City Attorney)
- 3/1/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
12. 050246 [Settlement of Lawsuit - Kemper Insurance Co.]
Ordinance authorizing settlement of the lawsuit filed by Kemper Insurance Co. by and through American Manufacturers Mutual Insurance Co. against the City and County of San Francisco for \$46,344.48; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-338; entitled Kemper Insurance Co, et al., v. City and County of San Francisco, et al.
(City Attorney)
- 3/1/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

13. 050247 [Settlement of Lawsuit - 18th and Arkansas Homeowners Association, et al., v. CCSF, et al.] Ordinance authorizing settlement of the lawsuit filed by 18th and Arkansas Homeowners Association, 1220 Folsom Street Owners' Association, 2412 Harrison Street Owners' Association, India Cove Homeowners Association, 700 Illinois Street Owners' Association, 1415 Indiana Street Owners' Association, Penn Station Lofts Owners' Association, 226 Ritch Street Owners Association, 650 Second Street Owners' Association, San Francisco Flower Growers Association, 2030 Third Street Homeowners' Association, Tehama Lofts Condominium Owners' Association, 1011 23rd Street Owners' Association, and 239 8th Street Homeowners' Association against the City and County of San Francisco for \$65,424.81; the lawsuit was filed on September 27, 2003 in the San Francisco Superior Court, Case No. 424-484; entitled 18th and Arkansas Homeowners Association, et al., v. City and County of San Francisco, et al.

3/1/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

14. 050293 [Appointment - Arts Task Force]
Resolution appointing Kristine Keefer, Ronald Gallman, David Gluck, Diane Cullinan and Marc Vogl, terms ending July 1, 2005, to the Arts Task Force.
Kristine Keefer, new appointment, seat 12, must be an artist working the San Francisco Bay Area, for the unexpired portion of a six-month term ending July 1, 2005.

Ronald Gallman, new appointment, seat 13, must serve as a director, staff member or board member of a non-profit arts organization based in San Francisco with an annual budget exceeding five million dollars, for the unexpired portion of a six-month term ending July 1, 2005.

David Gluck, new appointment, seat 14, must serve as a director, staff member or board member of non-profit arts organization based in San Francisco with an annual budget between one million dollars and five million dollars, for the unexpired portion of a six-month term ending July 1, 2005.

Diane Cullinan, new appointment, seat 15, must serve as a director, staff member or board member of a non-profit arts organizations based in San Francisco with an annual budget between \$250,000 and one million dollars, for the unexpired portion of a six-month term ending July 1, 2005.

Marc Vogl, new appointment, seat 16, must serve as a director, staff member or board member of a non-profit arts organization based in San Francisco with an annual budget less than \$250,000, for the unexpired portion of a six-month term ending July 1, 2005.

Question: Shall this Resolution be ADOPTED?

15. 050294 [Appointment - Skateboarding Task Force]
Resolution appointing David Miles, term ending September 6, 2005, to the Skateboarding Task Force.
David Miles, succeeding Ilya Weber, resigned, seat 2, must be from the in-line skating community knowledgeable about the sport for a period of five years, for the unexpired portion of a three-year term ending September 6, 2005.

Question: Shall this Resolution be ADOPTED?

16. 050324 [Appointment - Child Care Planning and Advisory Council]
Resolution appointing David Fleishman, term ending December 31, 2006, to the Child Care Planning and Advisory Council.
David Fleishman, succeeding Jean van Keulen, resigned, seat 2, must be a nominee of District 2 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a four-year term ending December 31, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd, McGoldrick

17. 050213 [To appropriate supplemental funds to fund the SFPUC Water Capital Improvement Program (CIP) for the remainder of fiscal year 2004-2005]

Mayor

Ordinance appropriating \$21,963,000 of bond sales proceeds from the Water Department to fund the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2004-05.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Daly, Elsbernd

18. 050189 [Camp Mather - Fees Increase]

Ordinance amending S.F. Park Code Section 12.01 to increase the Camp Mather cabin and tent site usage fees, amending Park Code Section 12.02 to increase the Camp Mather day use fees, and amending Park Code Section 12.03 to increase the Camp Mather meal fees and making environmental findings.

(Recreation and Park Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 050060 [MUNI Clean Air Plan and Compliance with Proposition I]

Supervisor Ammiano

Resolution supporting immediate action to implement MUNI's Clean Air Plan to bring MUNI into compliance with Proposition I by acquiring hybrid electric buses, retiring and replacing outmoded diesel buses and requiring that 100% of the interim diesel fleet be equipped with devices to minimize particulate matter (PM) and NOx (oxides of nitrogen) emissions.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

20. 041308 [Regulating the Distribution of Handbills]
Supervisor Ma

Ordinance amending Article 5.7 of the Public Works Code by repealing section 184.71, which required persons distributing handbills to register and pay fees, amending section 184.73 to make violation of the ordinance an infraction instead of a misdemeanor, and by renumbering sections 184.71 through 184.77.

11/16/2004, CONTINUED. Continued to November 23, 2004

12/7/2004, RE-REFERRED to City Services Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 050071 [Shopping Cart Signage and Security Requirements]
Supervisor Ma

Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1414, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 050214 [Authorizing the Human Services to request an Able Bodied Adults without Dependents (ABAWD) Waiver from the State Department of Social Services]
Mayor, Supervisor Ammiano

Resolution authorizing the Human Services Agency to request an ABAWD Waiver from the State Department of Social Services.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Mirkarimi

23. 050216 [Jail Food Services]
Supervisor Sandoval

Resolution authorizing the Sheriff's Department to enter into a contract for jail food services which will require anticipated expenditures by the City and County of more than ten million dollars over a four year period.

Question: Shall this Resolution be ADOPTED?

24. 050217 [Proposition J Certification for Jail Food Services]**Supervisor Sandoval**

Resolution approving the Controller's certification that county jail food service management operations can practically be performed by a private contractor at a lower cost than if work were performed by City employees at budgeted levels.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

25. 041745 [Regulating Skateboard Riding]**Supervisor Ma**

Ordinance amending the San Francisco Traffic Code by amending section 100 (Ord. No. 300-98) so that it no longer applies to skateboard riders; repealing a second section 100 (Ord. No. 385-98); repealing sections 100.1 through 100.6, which established a pilot program regulating roller and in-line skaters that has now expired; and adding a new section 100.1, regulating the riding of skateboards in San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

26. 041138 [Board of Supervisors to respond on behalf of City departments to orders for the production of City records made under designated state and federal laws]**Supervisors McGoldrick, Mirkarimi, Peskin**

Ordinance amending the San Francisco Administrative Code, by adding Section 2.20, to authorize the Board of Supervisors to identify as "watch laws" those state or federal laws calling for the disclosure of information or records held by the City, where disclosure could violate of the rights of individuals under the State or Federal Constitutions, and to authorize the Board to respond on behalf of City departments to orders for the production of City information or records made under such watch laws.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 041139 [Designating the USA PATRIOT Act as a "watch law" under Charter Section 16.124]**Supervisors McGoldrick, Mirkarimi, Peskin**

Resolution designating the USA PATRIOT Act as a "watch law" under Charter Section 16.124.

Question: Shall this Resolution be ADOPTED?

28. 050120 [Appointing members to the IHSS Governing Body]
Supervisor Maxwell
Ordinance clarifying the process for appointing members to the In-Home Supportive Services Public Authority (IHSS) Governing Body, and adding two additional members (representing the bargaining unit of the union that represents IHSS independent providers, and a consumer at-large who is eighteen years of age or older).

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 050179 [Extending the Joint City and School District Select Committee for two years]
Supervisors Maxwell, Ma, Anuniano, Peskin
Motion amending Rule 5.7 of the Rules of Order of the Board of Supervisors to extend the Joint City and School District Select Committee through March 1, 2007.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

30. 041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

10/19/2004. CONTINUED. Continued to November 16, 2004

11/16/2004. CONTINUED. Continued to December 14, 2004

12/14/2004. CONTINUED. Continued to January 25, 2005 at 4:00 p.m.

1/25/2005. CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

2/8/2005. CONTINUED. Continued to March 15, 2005.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

31. 041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
Question: Shall this Motion be APPROVED?
32. 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
Question: Shall this Motion be APPROVED?
33. 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M**34. 050287 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 606-624 Divisadero Street and 1278 Hayes Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department, approving a Final Mitigated Negative Declaration (Case No. 2003.0807E) adopted and issued on November 29, 2004, for the proposed construction of two mixed-use buildings on Divisadero Street and one all-residential building on Hayes Street after demolition of an existing 12,000 gross-square-foot (gsf) building at 616 Divisadero Street, currently used as a church (currently a Baptist Church and before that the Harding Theater). The two proposed buildings on Divisadero Street would be identical 9,615 gsf, four-story, mixed-use buildings each with approximately 2,500 gsf of commercial use on portions of the first two levels, and four residential dwelling units on the remainder of the four floors. The proposed building on Hayes Street would be a 30,631 gsf, four-story building with 10 dwelling units on all four levels. The entire proposed project would include 18 dwelling units, 18 off-street parking spaces, and approximately 5,000 gsf of commercial space in three buildings that would each be four stories, approximately 46 feet in height. Off-street parking for all three buildings would be located in the Hayes Street building. The project site at 616 Divisadero Street (Assessor's Block 1202, Lot 002J) is an L-shaped lot with frontages on both Divisadero and Hayes Streets and is approximately 13,285 square feet. The project site is zoned NC-2 (Small-Scale Neighborhood Commercial and is within a 65-A height and bulk district. (Appellant: Arthur D. Levy of Levy, Ram & Olson LLP Attorneys representing Central City Progressives.) (Appeal filed February 15, 2005; companion measure to Files 050288, 050289, 050290; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**35. 050288 [Finding mitigated negative declaration appeal of 606-624 Divisadero Street/1278 Hayes Street timely]**

Motion finding the appeal of the mitigated negative declaration issued on November 29, 2004, for 606-624 Divisadero Street/1278 Hayes Street timely filed.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

36. 050289 [Finding appeal of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street untimely]

Motion finding the appeal of the negative declaration issued on November 29, 2004 for 606-624 Divisadero Street/1278 Hayes Street not timely filed.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

37. 050290 [Preparation of findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street]
Motion directing the Clerk of the Board to prepare findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be adopted.)

38. 050400 [Affirm approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]
Motion affirming Planning Department adoption of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

39. 050401 [Reversing approval of the negative declaration for 606-624 Divisadero Street/1278 Hayes Street]
Motion reversing the Planning Department approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

40. 050402 [Preparation of findings to reverse approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Department's approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

41. 050087 [Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street]
Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 0021, Assessor's Block 1202. (Appellant: David Tornheim, representing the Central City Progressives.)
(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

2/1/2005, CONTINUED. Continued to February 15, 2005.

2/15/2005, CONTINUED. Continued to March 15, 2005

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

42. 050088 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]
Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
2/15/2005, CONTINUED. Continued to March 15, 2005
Question: Shall this Motion be APPROVED?
43. 050089 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]
Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
2/15/2005, CONTINUED. Continued to March 15, 2005
Question: Shall this Motion be APPROVED?

44. 050090 [Findings - 606-624 Divisadero Street and 1278 Hayes Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting.
(Clerk of the Board) -
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
2/15/2005, CONTINUED. Continued to March 15, 2005
Question: Shall this Motion be APPROVED?
45. 050091 [Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
2/15/2005, CONTINUED. Continued to March 15, 2005
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item was considered by the Rules Committee at a Regular Meeting on Wednesday, March 9, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 15, 2005.

46. 050318 [Appointment, Public Utilities Commission - Ann Moller Caen]
Mayor
Motion approving the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for the term ending January 15, 2009.
Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date – February 18, 2005.

Question: Shall this Motion be APPROVED?

47. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

48. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 49 through 70

49. 050360 [San Francisco's First Annual Spring Cleaning Day]
Supervisor Alioto-Pier
Resolution declaring Saturday, March 19, 2005 as San Francisco's First Annual Spring Cleaning Day.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 050361 [Zoning - Extension of Planning Commission Review Period]
Supervisor Ammiano
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to define a single room occupancy unit as a unit that is affordable to very low income or extremely low income households.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
51. 050362 [Supporting Golden Gate Bridge Suicide Barrier]
Supervisors Ammiano, Maxwell, Mirkarimi, Alioto-Pier, Daly, Dufty, McGoldrick, Peskin
Resolution supporting the need for a suicide barrier on the Golden Gate Bridge to protect the public's health and safety and further urging the Golden Gate Bridge Board Directors to proceed with the design and consultation of a suicide barrier.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

52. 050363 [Full-funding for Wages Plus Program in FY 04/05 and FY 06/07]
Supervisors Daly, Ma, Peskin
Resolution urging Mayor to fully fund the Wages Plus Program to ensure that eligible child care providers who have sought approved training and educational units can receive wage increases in FY 04/05 and FY 05/06 as prescribed by the program.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
53. 050364 [Urging the Social Security Administration to Refrain from Closing the Western Addition Field Office]
Supervisor Mirkarimi
Resolution urging the Social Security Administration to refrain from closing the Western Addition Social Security Office.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
54. 050385 [Supporting Assembly Bill 1147 - California Industrial Hemp Farming Act]
Supervisor Mirkarimi
Resolution urging the California Assembly and Senate and the Governor of California to support Assembly Bill 1147 (AB1147), introduced by Assemblyman Mark Leno, the "The California Industrial Hemp Farming Act".

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
55. 050386 [Ethics Investigation Disclosure]
Supervisor Mirkarimi
Resolution urging the Ethics Commission to unseal and redact records related to the settlement of the case involving late reporting of contributions against Proposition D of 2002.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
56. 050387 [Commending Kathy Thomas-Perry]
Supervisor Maxwell
Resolution commending Kathy Thomas-Perry for her dedication, commitment to and leadership of the San Francisco Asthma Task Force.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

57. 050388 [Supporting Fair Wages and Working Conditions for All UCSF Workers]
Supervisors McGoldrick, Mirkarimi
Resolution supporting fair wages and working conditions for all UCSF workers.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
58. 050390 [Opposing H.R. 298]
Supervisors Peskin, Ammiano, Daly
Resolution opposing H.R. 298, a bill sponsored by Rep. Richard Pombo to require the Secretary of the Interior to provide public access to the Farallon National Wildlife Refuge.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
59. 050391 [Supporting Senate Bill 169]
Supervisors Peskin, Alioto-Pier
Resolution expressing support for Senate Bill 169, introduced by Senator Carole Migden, and urging the California State Legislature and Governor to support this measure.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
60. 050392 [Greek Independence Day in San Francisco]
Supervisors Ma, Mirkarimi
Resolution declaring March 25, 2005 as "Greek Independence Day" in the City and County of San Francisco.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
61. 050393 [United Irish Cultural Center 30th Anniversary]
Supervisors Ma, Elsbernd, Mirkarimi
Resolution commending the 30th Anniversary of the United Irish Cultural Center.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
62. 050394 [Commending Preschool California]
Supervisor Ma
Resolution commending Preschool California's efforts in building momentum toward increasing access to quality preschool to all 4-year-olds in California.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

63. 050395 [Mission of Laguna Honda Hospital]
Supervisors Elsbernd, Peskin, Mirkarimi
Resolution urging the Executive Staff of Laguna Honda Hospital to amend the recently revised mission of LHH to include "long term care" as one of the goals of the hospital, and to publicly consult with the Mayor and the Board of Supervisors before any additional changes are made to either the mission or the admissions policy of Laguna Honda Hospital.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
64. 050396 [Laguna Honda Quarterly Statistics Report]
Supervisors Elsbernd, Peskin, Mirkarimi
Resolution urging the Executive Administrator of Laguna Honda Hospital and Rehabilitation Center to provide, on a quarterly basis, admissions statistics for Laguna Honda Hospital detailing age, ethnicity, and referral information.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
65. 050397 [Declaring March 11, 2005 to be Sylvester Day]
Supervisors Dufty, Ammiano
Resolution declaring March 11, 2005 to be Sylvester Day.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
66. 050398 [Declaring March 15, 2004 to be Drug Court Day]
Supervisor Dufty
Resolution declaring March 15, 2004 to be Drug Court Day.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
67. 050399 [Commending Sydney Gurewitz Clemens]
Supervisor Dufty
Resolution commending Sydney Gurewitz Clemens.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

68. 050325 [Final Map for a 19 Unit Live Work Condominium Project - 1050 17th Street]
Motion approving Final Map of 1050 17th Street, A Live Work Condominium Project, being a subdivision of Lot 2A in Assessor's Block No. 3948, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,212; District 6.)
- 2/23/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
69. 050326 [Final Map for a 5 Unit Residential Condominium Project - 362-362A-364-364A-366 Sanchez Street]
Motion approving Final Map of 362-362A-364-364A-366 Sanchez Street, A Residential Condominium Project, being a subdivision of Lot 14 in Assessor's Block No. 3564, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,233; District 8.)
- 2/23/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
70. 050331 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

71. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 22, 2005 to March 7, 2005, for reference by President to appropriate committee on March 15, 2005.

050328 [Settlement of Lawsuit - Mary Jane Gregory]

Ordinance authorizing settlement of the lawsuit filed by Mary Jane Gregory against the City and County of San Francisco for \$30,000.00; the lawsuit was filed on February 13, 2003 in the San Francisco Superior Court, Case No. 417384; entitled Mary Jane Gregory v. City and County of San Francisco, et al.

2/28/2005, RECEIVED AND ASSIGNED to Rules Committee.

050329 [Parking Permits]

Ordinance amending San Francisco Traffic Code sections 308, 308.1, 308.3, and repealing section 314, to: clarify the requirements for issuance of Residential Parking Permits; increase parking permit fees for Residential Parking Permits and Health Care Worker Permits to sixty dollars (\$60) if purchased in the first six months of the permit year or thirty dollars (\$30) if purchased in the last six months of the permit year; increase Educational Institution Permits to sixty dollars (\$60) for each permit regardless of the date of purchase or repurchase; increase temporary parking permit fees for Residential Parking Permits to twenty dollars (\$20) for each week for up to four weeks or forty dollars (\$40) for a four week permit; increase visitor parking permit fees for Residential Parking Permits to five dollars (\$5) per day, twenty dollars (\$20) for two consecutive weeks, thirty dollars (\$30) for three consecutive weeks, forty dollars (\$40) for six consecutive weeks, or fifty dollars (\$50) for eight consecutive weeks; and, delete previous permit fee amounts.
(Municipal Transportation Agency)

3/4/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050370 [Parking Meter Rates]

Ordinance amending the San Francisco Traffic Code by amending Section 203.1 to increase the rate for parking meters in Parking Meter Area Number One to three dollars (\$3.00) an hour, by amending Section 203.2 and 203.4 to increase the rate for parking meters in Parking Meter Areas Numbers Two and Four to two dollars and fifty cents (\$2.50) an hour, and by amending Section 203.3 to increase the rate for parking meters in Parking Meter Area Number Three to two dollars (\$2.00) an hour.
(Municipal Transportation Agency)

3/4/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050371 [Contractor Permit Fee]

Ordinance amending San Francisco Traffic Code section 202.C to add a provision that contractor permits may be issued for six consecutive months that begin on December 1st, to delete a provision that no more than five additional contractor permits may be issued to any contractor who is not eligible to apply for exclusive temporary use of parking meter zones, and to increase the contractor parking permit fee from \$325 to \$500 if purchased in the first six months of the year and from \$225 to \$250 if purchased in the last six months of the permit year.
(Municipal Transportation Agency)

3/4/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050372 [Parking Fine Penalty Schedule]

Ordinance amending San Francisco Traffic Code section 132 to increase penalties for various parking related violations, and to correct the penalties for Vehicle Code sections 22523A and 22523B by decreasing the penalties to \$200 and section 22526B by decreasing the penalty to \$100.
(Municipal Transportation Agency)

3/4/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 22, 2005 to March 7, 2005, for reference by President to appropriate committee on March 15, 2005.

050322 [Authorizing extension of the Emergency Interim Towing Services Agreement]**Mayor**

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency to enter into a contract amendment extending the term of the Emergency Interim Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles by and Between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn until July 30, 2005 or until a long-term towing services agreement is executed, whichever occurs first.
(Parking and Traffic Department)

2/24/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this matter be calendared at the March 17, 2005 meeting.

050330 [Contract between DPH and Triage Consulting Group to provide retroactive claiming of aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008.
(Public Health Department)

2/22/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this matter be calendared at the March 10, 2005 meeting.

- 050378 [Traffic Regulations - Bike Lanes]
Resolution enacting bike lanes on Fulton Street.
BIKE LANES - ESTABLISH
Fulton Street, both directions, from Baker Street to Octavia Street.
(Municipal Transportation Agency)
(See hard copy for environmental review determination.)

3/4/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 050379 [Traffic Regulations]
Resolution enacting bike lanes and other traffic regulations on Oakdale Avenue.
BIKE LANES - ESTABLISH
Oakdale Avenue, both directions, from Bayshore Boulevard to Selby Street.
TOW-AWAY, NO PARKING ANYTIME – ESTABLISH
Oakdale Avenue, northside, from Selby Street to 175' easterly.
Oakdale Avenue, southside, from Patterson Street to 100' east of Loomis Street.
LEFT LANE MUST TURN LEFT – ESTABLISH
Oakdale Avenue, eastbound, approaching Selby Street.
(Municipal Transportation Agency)
(See hard copy for environmental review determination.)

3/4/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050403 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "V" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Eastwood Drive, both sides, between Miramar Avenue and San Ramon Way (Unit block).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Putman Street, east side, between Crescent and Tompkins Avenues.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Stevenson Street, south side, between 2nd and New Montgomery Streets.

ONE HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Alabama Street, west side, from 15th Street to 100 feet northerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Key Avenue, both sides, south of the south property line of 946 Key Avenue and along southern terminus.

NO PARKING ANYTIME - ESTABLISH
Prentiss Street, east side, from Chapman Street to 100 feet northerly.

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH □
Castro Street, east side, between 25th and Jersey Streets (6-month trial).

PARKING METER AREA NO. 1, 30-MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH
Washington Street, both sides, from The Embarcadero to Davis Street.

PARKING METER AREA NO. 1, 30 MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH
Drumm Street, from Washington to Clay Streets.

PARKING METER AREA NO. 1, 30 MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH
Clay Street, from Drumm Street to Davis Street.

TOW-AWAY, NO PARKING ANYTIME - EXTENSION
1300 block of DeHaro Street, west side of median wall, from the projection of the northerly boundary line of #1351-1355 DeHaro Street to 4 feet northerly (4-foot extension).

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 8 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Shotwell Street, both sides, between 25th and 26th Streets (1100 block) (increases the time limit from 1-Hour to 2 Hours).

TOW-AWAY NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY, TAXI ZONE, ALL OTHER TIMES - RESCIND
NO PARKING, TAXI ZONE - ESTABLISH
4th Street, west side, from Minna Street to 150 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Harriet Street, south side, from Brannan Street property line to 30 feet easterly.

TOW-AWAY NO STOPPING, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Fremont Street, east side, from 219 feet to 349 feet north of Howard Street.

NO PARKING ANYTIME - ESTABLISH

Somerset Street, west side, from Campbell Avenue to 100-feet southerly.

TOW-AWAY, NO STOPPING ANYTIME, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Turk Street, north side, between Van Ness Avenue and Franklin Street.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH

Missouri Street, west side, from 80 feet to 130 feet north of 23rd Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

O'Farrell Street, south side, from 58 feet west of Van Ness Avenue to 100 feet westerly (to establish a 100-foot bus zone bulb with 12-foot taper at the west end).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

23rd Street, both sides, between Chattanooga and Church Streets (3700 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Laguna Honda Boulevard, west side, between the two driveways of 300 Laguna Honda Boulevard (a 12.5-foot zone, accommodating three unmetered motorcycle parking spaces); and 1067 Broadway, south side, from 2 feet to 5 feet west of driveway (3-foot space, accommodating one motorcycle parking space).

PERPENDICULAR (90-DEGREE ANGLE) PARKING – ESTABLISH

University Street, east side, from Olmstead Street to north terminus (legislates existing conditions); Colby Street, west side, from Olmstead Street to north terminus (legislates existing conditions); Vermont Street, east side, between 23rd Street and 280 feet south of 24th Street (legislates existing conditions); Florida Street, east side, from 15th Street to Treat Avenue (legislates existing conditions); and Egbert Street, north side, from Newhall Street to 485 feet easterly (legislates existing conditions).

TOW-AWAY, NO STOPPING ANYTIME, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

California Street, north side, from 55 feet west of Van Ness Avenue to 89 feet east of Franklin Street.

NO PARKING ANYTIME - ESTABLISH

Quesada Avenue, south side, from Newhall Street to 20 feet easterly.

GREEN ZONE, 6 PM TO 11 PM, DAILY- ESTABLISH

8th Street, east side, from 32 feet to 98 feet north of Howard Street, at parking meters #157, 155, and 153.

(Parking and Traffic Department)

(3/7/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2961.)

3/7/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050404 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - RESCIND

Turk Street, westbound, at Gough Street (removing the option to turn left from the middle lane but still requiring the left lane to turn left).

BUSES AND TAXIS ONLY AFTER CANDLESTICK PARK EVENTS - ESTABLISH

Ingerson Avenue, westbound, between Hawes and 3rd Streets.

NO LEFT TURN - ESTABLISH

Lake Merced Boulevard, northbound, at Skyline Boulevard (north leg only).

LEFT LANE MUST TURN LEFT - ESTABLISH

Holloway Avenue, eastbound and westbound, at Junipero Serra Boulevard.

MULTIPLE LEFT TURN LANES - RESCIND**LEFT LANE MUST TURN LEFT - RESCIND**

Howard Street, westbound, at 6th Street.

LEFT LANE MUST TURN LEFT EXCEPT BUSES AND TAXIS - ESTABLISH

4th Street, southbound, at Bryant Street.

DIAMOND LANE: LEFT LANE BUSES, TAXIS AND LEFT TURNS ONLY - RESCIND

4th Street, southbound, between Bryant and Townsend Street.

BUSES AND TAXIS ONLY - ESTABLISH

4th Street, southbound, second lane from left at Brannan Street; and

4th Street, southbound, second lane from left at Townsend Street.

LEFT LANE MUST TURN LEFT, RIGHT LANE MUST TURN RIGHT - ESTABLISH

10th Avenue, northbound, approaching Fulton Street.

NO TURN ON RED - RESCIND

Shrader Street at Fell Street.

(Parking and Traffic Department)

(3/7/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2961.)

3/7/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050405 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Westgate Drive and Darian Way, installing STOP signs at this intersection, making this intersection an All-Way STOP;

Newhall Street and Quesada Avenue, stopping Newhall Street at Quesada Avenue, making this intersection an All-Way STOP;

4th Avenue and Clement Street, stopping Clement Street at 4th Avenue, making intersection an All-Way STOP;

Wisconsin and 22nd Streets, stopping Wisconsin at 22nd Street making this intersection an All-Way STOP;

Bacon and Hamilton Streets, stopping Bacon Street, making this intersection an All-Way STOP;

Somerset Street and San Bruno Avenue, stopping Somerset Street at San Bruno Avenue, the stem of this Y-intersection;

Octavia Frontage Road, stopping southbound Octavia Frontage Road at Market Street;

Octavia Frontage Road, stopping northbound Octavia Frontage Road at Hayes Street;

Ingalls Street at Armstrong Street, making intersection All-Way STOP;

Jennings Street at Wallace Street, making intersection All-Way STOP;

Hawes Street at Quesada Street, making intersection All-Way STOP; and

Hoff Street at 16th and 17th Streets, stopping the stem of these T-intersections.

(Parking and Traffic Department)

(3/7/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2961.)

3/7/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050406 [Accept-Expend Federal Grant – Special Emphasis Victim Assistance Program: Elder Abuse]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$290,562 through the California Governor's Office of Criminal Justice Planning (OCJP A301) for the operation of a program entitled "Vertical Prosecution Program."
(District Attorney)

3/4/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050407 [Accept-Expend Federal Grant – Special Emphasis Victim Assistance Program: Elder Abuse]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$562,287 through the California Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Victim & Witness Assistance Program."
(Parking and Traffic Department)

3/4/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050457 [Petitions and Communications]

Petitions and Communications received from February 22, 2005 through March 7, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 15, 2005.

From the California Department of Health Services, submitting the estimated maintenance of effort (MOE) calculation adjusted for growth for fiscal year 2004-05. (1)

From Office of the City Attorney, submitting notice that appeal of Categorical Exemption for property at 981 Washington Street was filed in a timely manner and therefore the appeal should be calendared before the Board of Supervisors. File 050274 (2)

From Reuben and Junius LLP, submitting support for proposed legislation eliminating the flower stand at 5th and Market Streets. File 041742, Copy: Each Supervisor (3)

From Sean Patrick Monete-Shaw, regarding public hearing on the admission policy at Laguna Honda Hospital. (4)

From Department of Public Health, submitting notice that salaries will exceed appropriations by \$5.5 million. (5)

From Supervisor Daly, submitting appointment of Debra Walker to the Arts Task Force. (6)

From Sunshine Ordinance Task Force, submitting order of determination and supporting documents finding the Ethics Commission in violation of the Sunshine Ordinance Section 67.6(f) when it improperly noticed its August 4, 2004 special meeting. (7)

From Planning Department, submitting copy of Rules and Regulations of the San Francisco Planning Commission. (8)

From Police Department, regarding funding for a position in the Police Department. File 050151 (9)

From Tortuga Bi Liberty, regarding regulating and taxing San Francisco Pot Clubs. Copy: Each Supervisor (10)

From Law Offices of Stephen Williams, regarding appeal of decision of the Planing Commission of Categorical Exemption for proposed project at 3775 – 21st Street. File 050110, Copy: Each Supervisor (11)

From the Childhood Nutrition and Physical Activity Task Force, submitting report entitled "Healthy Nutrition and Physical Activity for San Francisco's Children" dated March 2005. (12)

From Gladstone & Associates, submitting additional documents for consideration in the appeal of Categorical Exemption for proposed project at 3775 21st Street. File 050110, Copy: Each Supervisor (13)

From concerned citizens, submitting letters of support for the proposed project at 3775 21st Street. File 050110, Copy: Each Supervisor, 8 letters (14)

From Alexandra Wassermann, submitting opposition to the proposed project at 3775-21st Street. File 050110, Copy: Each Supervisor (15)

From Juvenile Probation Department, submitting report on the number of out-of-county youths currently being held at Juvenile Hall and all related policies and procedures pertaining to the return of such youth to their counties of residence. (Reference No. 20050201-008) Copy: Supervisor Sandoval (16)

From Municipal Transportation Agency, submitting quarterly tow refunds report pursuant to Administrative Code Section 10C.12. (17)

From Community Health Charities, submitting request to participate in the 2005 San Francisco City and County Employees Combined Charities Campaign. (18)

From United Way of the Bay Area, submitting request to participate in the 2005 San Francisco City and County Employees Combined Charities Campaign. (19)

From Fire Department, submitting the 2004 Fire/Life Safety Inspection report for County Jail No. 2 located at 850 Bryant Street, 7th Floor. (20)

From the Biosciences Task Force, submitting report regarding the benefits and concerns of the Bioscience Industry in San Francisco. Copy: Each Supervisor (21)

From Municipal Transportation Agency (MUNI), submitting its budget for fiscal year 2006. Copy: Each Supervisor (22)

From Public Utilities Commission (PUC), submitting the RFP for Program/Project/Pre-Construction Management Services for the PUC Water System Improvement Program. Copy: Each Supervisor (23)

From Department of Human Services, responding to inquiry regarding the rationale for financial adjustments to Wage Plus and Foster Care Child Care programs. (Reference No. 20050201-006) Copy: Supervisor Daly (24)

From J. Giuffre & C. O'Malley, submitting request for a type 48 liquor license for "John Colin's" located at 90 Natoma Street. (25)

Number Not Used. (26)

From Recreation and Park Department, regarding the Department of Public Health's Report on the Environmental Lead Poisoning Prevention Program. File 041376, Copy: Each Supervisor (27)

From Office of the Mayor, submitting the reappointment of Sam Yockey, Hunter Stern and Dick Morten to the Citizens General Obligation Bond Oversight Committee, effectively immediately. Copy: Each Supervisor (28)

From Fire Department, submitting the 2004 Fire/Life Safety Inspection report for County Jail No. 1, 850 Bryant Street, 6th Floor. (29)

From State Rules Committee, submitting appointment of Rosario Marin and Rosalie Mule as members of the California Integrated Waste Management Board. (30)

From Local Independent Charities of America, submitting request to participate in the 2005 San Francisco City and County Employees Combined Charities Campaign. (31)

From Community Health Charities, submitting request to participate in the 2005 San Francisco City and County Employees Combined Charities Campaign. (32)

From Bay Area Black United Fund, Inc., submitting request to participate in the 2005 San Francisco City and County Employees Combined Charities Campaign. (33)

From Haight Ashbury Neighborhood Council, submitting copy of letter sent to the Concourse Authority requesting they be removed from all references to HANC as a participant or any similar designation. (34)

From Global Impact, submitting request to participate in the 2005 San Francisco City and County Employees Combined Charities Campaign. (35)

From Earth Share of California, submitting request to participate in the 2005 San Francisco City and County Employees Combined Charities Campaign. (36)

From Department of Children, Youth and Their Families, submitting appointment of Mardi Lucich to CPAC, the San Francisco Child Care Planning and Advisory Council. (37)

From Office of the Legislative Analyst, submitting report regarding the role of private environmental consulting firms in CEQA review. File 040414, Copy: Each Supervisor (38)

From Office of the Legislative Analyst, submitting the Redevelopment Agency Governance Structure Report. File 040414, Copy: Each Supervisor (39)

From Office of the Controller, submitting copy of notice sent to the Mayor notifying the Office of the Mayor that the budget for fiscal year 2005-06 is now available in the budget system to the Mayor's Office for review and consideration. Copy: Each Supervisor, Budget Analyst (40)

From Reuben & Junius LLP, submitting response to appeal of Negative Declaration and Conditional Use Authorization for property located at 606 Divisadero Street and 1278 Hayes Street. File 050287, Copy: Each Supervisor (41)

From Recreation and Park Department, submitting the 1997 Zoo Facilities General Obligation Bond Accountability Report. (42)

From concerned citizens, submitting opposition to proposal to charge a 17-cent fee on each plastic and paper bag provided to customers at grocery store checkout counters. (43)

From Steefel, Levitt & Weiss, submitting notice seeking peremptory writ of mandate (for East India Basin LLC and Demmie B. Acosta) vacating the approvals of the Hunters Point Shipyard Reuse Project pursuant to the Hunters Point Shipyard Redevelopment Plan, until such time as CEQA's mandates are satisfied. Copy: Each Supervisor (44)

From Supervisor Peskin, submitting appointment of Supervisor Alioto-Pier and himself to the State Legislation Committee, effectively immediately. Copy: Each Supervisor (45)

From Office of the City Attorney, submitting notice that appeal of Categorical Exemption for proposed project at 1 La Avanzada Street (aka 250 Palo Alto Avenue) was filed in a timely manner and therefore should be calendared before the Board of Supervisors. (46)

From Pat Sides, commenting how dangerous and rude skateboarders are to pedestrians walking up and down Market Street to and from the Ferry Building; and urging the Board to urge the Police Department to enforce the laws presently on the books to control skateboarders behavior. File 041745, Copy: Each Supervisor (47)

From Arts Commission, submitting fiscal year 2004-05 second quarter Over-Expended Report. (48)

MAYOR'S APPOINTMENT
Juvenile Probation Commission
Hully Fetico

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT

MAR 18 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 22, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the February 22, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd

1. 050213 [To appropriate supplemental funds to fund the SFPUC Water Capital Improvement Program (CIP) for the remainder of fiscal year 2004-2005]
Mayor
Ordinance appropriating \$21,963,000 of bond sales proceeds from the Water Department to fund the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2004-05.
(Fiscal impact.)

3/15/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
2. 050189 [Camp Mather - Fees Increase]
Ordinance amending S.F. Park Code Section 12.01 to increase the Camp Mather cabin and tent site usage fees, amending Park Code Section 12.02 to increase the Camp Mather day use fees, and amending Park Code Section 12.03 to increase the Camp Mather meal fees and making environmental findings.
(Recreation and Park Department)

3/15/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

3. **050165** **[Airport Concession Lease]**
Resolution approving the Remote Terminal Food and Beverage Lease between Bassam & Nancy Shihadeh dba Deli Up Café, and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

4. **041308** **[Regulating the Distribution of Handbills]**
Supervisor Ma
Ordinance amending Article 5.7 of the Public Works Code by repealing section 184.71, which required persons distributing handbills to register and pay fees, amending section 184.73 to make violation of the ordinance an infraction instead of a misdemeanor, and by renumbering sections 184.71 through 184.77.

11/16/2004, CONTINUED. Continued to November 23, 2004

11/23/2004, PASSED ON FIRST READING.

12/7/2004, RE-REFERRED to City Services Committee.

3/15/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. **050016** **[Safety Measures -- Hyde Street and Vallejo Streets]**
Supervisor Peskin
Resolution urging the Department of Parking and Traffic to install a traffic signal at the intersection of Vallejo and Hyde Streets, urging the painting of crosswalks crossing Hyde Street at Vallejo Street, and designating the intersections of Hyde at Green Streets and Hyde at Broadway Streets all-way STOPS.

Question: Shall this Resolution be ADOPTED?

6. **050102** **[Parking Regulation]**
Resolution enacting parking regulation on Hill Street.

RESIDENTIAL PERMIT PARKING AREA "S" (4-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hill Street, both sides, between Noe and Sanchez Streets (400 block).

Question: Shall this Resolution be ADOPTED?

050237 [Accept-Expend Grant]

Resolution authorizing the Public Library to retroactively accept and expend a grant in the amount of \$23,400 from the Friends of the San Francisco Public Library for a part-time, as needed, editor for the publication, At the Public Library.
(Public Library)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

8. 041138 [Board of Supervisors to respond on behalf of City departments to orders for the production of City records made under designated state and federal laws]

Supervisors McGoldrick, Mirkarimi, Peskin, Ammiano

Ordinance amending the San Francisco Administrative Code, by adding Section 2.20, to authorize the Board of Supervisors to identify as "watch laws" those state or federal laws calling for the disclosure of information or records held by the City, where disclosure could violate of the rights of individuals under the State or Federal Constitutions, and to authorize the Board to respond on behalf of City departments to orders for the production of City information or records made under such watch laws.

3/15/2005, PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

9. 050120 [Appointing members to the IHSS Governing Body]

Supervisor Maxwell

Ordinance clarifying the process for appointing members to the In-Home Supportive Services Public Authority (IHSS) Governing Body, and adding two additional members (representing the bargaining unit of the union that represents IHSS independent providers, and a consumer at-large who is eighteen years of age or older).

3/15/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 050295 [Appointment - Shelter Monitoring Committee]

Resolution appointing Bianca Henry, Delbert Scott and Jesus Medellin, terms ending November 23, 2006, to the Shelter Monitoring Committee.

Bianca Henry, new appointment, seat 4, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Delbert Scott, new appointment, seat 5, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Jesus Medellin, new appointment, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2006.

Question: Shall this Resolution be ADOPTED?

11. 050384 [Appointment - Bicycle Advisory Committee]

Resolution appointing Andrew Thornley and Francisco Hernandez, terms ending November 19, 2006, to the Bicycle Advisory Committee.

Andrew Thornley, succeeding Andrew Thornley, term expired, seat 1, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Francisco Hernandez, succeeding Francisco Hernandez, term expired, seat 9, must be a nominee of District 9 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

12. 050411 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Vera Haile, term ending March 31, 2007, to the Commission on the Aging Advisory Council.

Vera Haile, succeeding Marie Conroy-Salbi, term expiring March 31, 2005, seat 2, must be nominee of District 1 Supervisor, for a two-year term ending March 31, 2007.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

13. 050071 [Shopping Cart Signage and Security Requirements]

Supervisor Ma

Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1414, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed.

3/15/2005, CONTINUED. Continued to March 22, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

14. 041745 [Regulating Skateboard Riding]

Supervisor Ma

Ordinance amending the San Francisco Traffic Code by amending section 100 (Ord. No. 300-98) so that it no longer applies to skateboard riders; repealing a second section 100 (Ord. No. 385-98); repealing sections 100.1 through 100.6, which established a pilot program regulating roller and in-line skaters that has now expired; and adding a new section 100.1, regulating the riding of skateboards in San Francisco.

3/15/2005, CONTINUED. Continued to March 22, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Peskin

15. 050247 [Settlement of Lawsuit - 18th and Arkansas Homeowners Association, et al., v. CCSF, et al.] Ordinance authorizing settlement of the lawsuit filed by 18th and Arkansas Homeowners Association, 1220 Folsom Street Owners' Association, 2412 Harrison Street Owners' Association, India Cove Homeowners Association, 700 Illinois Street Owners' Association, 1415 Indiana Street Owners' Association, Penn Station Lofts Owners' Association, 226 Ritch Street Owners Association, 650 Second Street Owners' Association, San Francisco Flower Growers Association, 2030 Third Street Homeowners' Association, Tehama Lofts Condominium Owners' Association, 1011 23rd Street Owners' Association, and 239 8th Street Homeowners' Association against the City and County of San Francisco for \$65,424.81; the lawsuit was filed on September 27, 2003 in the San Francisco Superior Court, Case No. 424-484; entitled 18th and Arkansas Homeowners Association, et al., v. City and County of San Francisco, et al.

3/1/2005, PASSED, ON FIRST READING.

3/15/2005, CONTINUED. Continued to March 22, 2005

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

16. 041272 [To appropriate funding from the General Reserve to increase available funding in the Election Fund for public financing]
Supervisor Daly
Ordinance appropriating, retroactively, \$87,678 from the General Fund Reserve to increase funds in the Election Campaign Fund for the purpose of public financing of all eligible candidates for the Ethics Commission for fiscal year 2004-2005.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 050117 [Re-appropriate funding from Earthquake Safety Bond Phases 1 & 2 proceeds; re-appropriate funding from the Fire Bond proceeds and appropriate interest]
Mayor
Ordinance re-appropriating \$5,769,221 from the Earthquake Safety Bond Phases 1 & 2 proceeds to fund \$2,724,875 on San Bruno Jail construction, \$2,746,336 on San Francisco Juvenile Hall Guidance Center Project construction, and \$298,010 for 4th Street Bridge construction for fiscal year 2004-05 and backfilling \$326,000 of lower COP interest earnings with Earthquake Safety Bond interest earnings for San Bruno Jail construction. Additionally, to re-appropriate \$487,610 from the sale of Fire Bond proceeds and to appropriate \$1,993,370 from Fire Bond interest earnings to fund construction expenses for Fire Station 2 for the Department of Public Works for fiscal year 2004-2005.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 050137 [Public Employment - Various Departments]
Supervisor McGoldrick
Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 7.4 positions at Airport Commission, Department of Human Resources, Human Services Agency, Public Health, Public Works, Recreation and Park, Human Rights Commission, and the Department on the Status of Women.
(Fiscal impact.)

3/1/2005, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

19. 050099 [Cesar Chavez Bike Bridge and at-grade pedestrian/bike path on State Route 101 at Cesar Chavez Street]
Resolution approving a maintenance agreement with the State of California, Department of Transportation (Caltrans) for the newly constructed Cesar Chavez Bike Bridge and at-grade pedestrian/bike path on State Route 101 at Cesar Chavez Street and authorizing official acts in furtherance thereof.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

20. 050163 [Liquor License, 1760-1772 Market Street]
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 on-sale general eating place license to Michael Harrity, for Octavia Lounge located at 1760-1772 Market Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

21. 041071 [Amending Planning Code Section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District]
Supervisor Peskin
Ordinance to amend the Planning Code by amending section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

22. 041571 [Chapter 6 Technical Amendments]

Supervisors Ma, Peskin

Ordinance amending San Francisco Administrative Code Chapter 6 to update section 6.2, to add new section 6.9 concerning subcontractor limitation of rights, to add new subsection 6.20(F) for a bidder prequalification process, to add new subsection 6.21(A)(10) to allow a specification requirement for contractor work with its own forces, to revise subsection 6.21(C) to allow a department head to reject all bids, to revise subsection 6.22(J) concerning retention of progressive payments, to add a new subsection 6.22(Q) concerning public work contract claims, to revise section 6.41 concerning subsequent phase competition for design services, to revise section 6.60 emergency contracting procedures, to revise section 6.61 design-build contracting procedures, to revise section 6.62 job order contracting procedures, to revise 6.64 as-needed contracting procedures, and to revise section 6.65 special service contracting procedures.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 050061 [Real Property Reporting and Planning]

Supervisors Elsbernd, Alioto-Pier, Mirkarimi, Peskin

Ordinance adding Section 23.8 to the San Francisco Administrative Code to establish a City policy that all City departments report annually to the Real Estate Division certain real property information, that relevant property information be recorded and geographically displayed in the Real Estate Information System (REIS), and the Director of Property prepare an annual report to the Board of Supervisors with real property asset management recommendations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 041582 [Continuum of Care Plan - Homeless Board Membership]

Supervisors Elsbernd, Alioto-Pier

Resolution amending the Continuum of Care Plan to dissolve the current Local Homeless Coordinating Board and to restructure it to reflect the recently adopted Ten Year Plan to End Chronic Homelessness reducing its membership to nine: four appointed by the Mayor; four appointed by the Board of Supervisors; and one appointed by the Controller.

Question: Shall this Resolution be ADOPTED?

25. 050316 [Appointment - Board of Appeals]**Mayor**

Motion approving the Mayor's appointment of Michael Garcia to the Board of Appeals for the term ending July 1, 2006.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 050317.)

Transmittal date - February 18, 2005.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

26. 050136 [Requiring departments to use interdepartmental mail]**Supervisor Ma**

Ordinance amending Chapter 8 of the Administrative Code by adding a new section 8.17 to require departments to use interdepartmental mail subject to certain limited exceptions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

27. 050274 **[Public Hearing - Appeal of Categorical Exemption for 981 Washington Street (Chinese Independent Baptist Church Expansion)]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 8, 2004, Case No. 2004.0906E, approving the expansion of the existing building to the rear of the structure for an addition of approximately 4,600 square feet (sq. ft.) for a total area of about 11,720 sq. ft. The new area would be used for Sunday School classrooms, a renovated kitchen, stairs and toilet facilities. In addition, the interior of the building would be renovated by increasing the width of corridors, adding a chair lift, an elevator and toilet facilities that would meet the requirements of the Americans with Disabilities Act. The present sanctuary which seats 120 persons would not be expanded. The project site is located at 981 Washington Street between Powell and Stockton Streets, Lot 24 in Assessor's Block 0211, within an RC-4 District and a 65-A Height and Bulk District. (Appellants: Anne Leong, Dennis Leong, Walter and Jane Leong, Dr. Guston Ho, Dolly Lee, Victor Leong, Woy Kit Leong, et al.)

(Filed January February 16, 2005; companion measure to Files 050275, 050276, 050277; District 3.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

28. 050275 [Affirming the categorical exemption issued for 981 Washington Street]
Motion affirming the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. 050276 [Disapproving the categorical exemption issued for 981 Washington Street]
Motion disapproving the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. 050277 [Preparation of findings related to the categorical exemption issued for 981 Washington Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

40. 050455 [Legislative Analyst Request - Report on Current Restorative Justice Practices] Supervisor Dufty

Motion requesting the Legislative Analyst to research and prepare an in-depth report on current restorative justice practices within the City and County of San Francisco and identifying best practices from other municipalities.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 41 through 58

41. 050362 [Supporting Golden Gate Bridge Suicide Barrier]

Supervisors Ammiano, Maxwell, Mirkarimi, Alioto-Pier, Daly, Dufty, McGoldrick, Peskin
Resolution supporting the need for a suicide barrier on the Golden Gate Bridge to protect the public's health and safety and further urging the Golden Gate Bridge Board Directors to proceed with the design and consultation of a suicide barrier.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/15/2005, CONTINUED. Continued to March 22, 2005

Question: Shall this Resolution be ADOPTED?

42. 050464 [Accessible Web Sites]
Supervisor Alioto-Pier
Resolution adopting the Mayor's Office on Disability and DTIS Web Site Accessibility Initiatives.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 050465 [Initiate the Designation of 2151 Van Ness Avenue, St. Brigid Church, as a Landmark]
Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Ma
Resolution initiating the designation of 2151 Van Ness Avenue, St. Brigid Church, Block 0575, Lot 015, as a landmark pursuant to Section 1004.1 of the Planning Code.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 050466 [Shore-to-Shore Bicycle-Pedestrian-Maintenance Pathway]
Supervisors Ammiano, Daly, Mirkarimi, Alioto-Pier, Dufty
Resolution urging the California State Legislature and Metropolitan Transportation Commission to include funding for the West Span Bicycle-Pedestrian-Maintenance Pathway as part of any revenue plan, including a toll increase, intended to pay for the cost overruns related to the East Span replacement project.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 050467 [Oscar Anulfo Romero Remembrance Day]
Supervisor Ammiano
Resolution declaring March 24, 2005 as Archbishop Oscar Anulfo Romero Remembrance Day in the City and County of San Francisco.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 050468 [Victoria Manalo Draves Park]
Supervisor Daly
Resolution urging the Recreation and Park Commission to name the new park that is to be built in the old Bessie Carmichael Elementary School site (on Sherman and Folsom) as Victoria Manalo Draves Park.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

47. 050469 [Commending LeVella Johnson]
Supervisor Duffy
Resolution commending LeVella Johnson for her 35 years of loyal service to the City and County of San Francisco
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
48. 050470 [DCYF Community Needs Assessment]
Supervisor Ma
Resolution approving the Community Needs Assessment developed by the Department of Children, Youth and their Families in accordance with Section 16.108 of the San Francisco Charter.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
49. 050471 [Opposing Tolls for Bicycle and Pedestrian Access on Golden Gate Bridge]
Supervisor Mirkarimi
Resolution urging Golden Gate Bridge, Highway, and Transportation District not to levy tolls for bicycling and walking on the Golden Gate Bridge.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 050472 [Approving Protest Letter to the California PUC and the Procurement Review Committee Regarding Approval of Proposed PG&E Power Purchase Agreements and Energy Efficiency Programs]
Supervisor Mirkarimi
Resolution approving a Protest Letter to the California Public Utilities Commission and the Procurement Review Committee regarding approval of proposed Pacific Gas & Electric Power Purchase Agreements and Energy Efficiency Programs.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
51. 050473 [Accept-Expend State Grant]
Supervisor Mirkarimi
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$112,000 from the California Department of Conservation for the implementation of an Away From Home Recycling Project in the City and County of San Francisco.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

52. 050474 [Endorsing and welcoming the American Friends Service Committee's Eyes Wide Open Exhibit]
Supervisor Mirkarimi
Resolution endorsing and welcoming the American Friends Service Committee's Eyes Wide Open Exhibit to the City and County of San Francisco March 25-27, 2005.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
53. 050476 [Arbor Day in San Francisco]
Supervisor Peskin
Resolution declaring March 12, 2005 Arbor Day in San Francisco.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
54. 050477 [Commending Commissioner Millard Larkin II]
Supervisor Maxwell
Resolution commending Commissioner Millard Larkin II for his years of service on the Southeast Community Facility Commission.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
55. 050422 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
56. 050424 [Extending Time for Labor Negotiations to June 30, 2005]
Supervisor Elsbernd
Motion extending time for labor negotiations to June 30, 2005, pursuant to Charter Section 11.100.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

57. 050428 [Emergency Disadvantaged Business Enterprise Program - March 29, 2005, Committee of the Whole]

Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on March 29, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

58. 050475 [Rescheduling the April 5, 2005 Board meeting to 10:00 am]

Supervisor Peskin

Motion rescheduling the April 5, 2005 regular meeting of the Board of Supervisors to begin at 10:00 a.m. in the Board Chamber in City Hall on that day.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

59. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 8, 2005 through March 14, 2005, for reference by President to appropriate committee on March 22, 2005.

050416 [Health Service System Plans]

Ordinance approving the 2005-2006 health, vision and dental plans of the Health Service System, and the rates applicable to those plans.
(Human Resources Department)

3/8/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050418 [Settlement of Lawsuit - James Tucker]

Ordinance authorizing settlement of the lawsuit filed by James Tucker against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 9, 2003 in San Francisco Superior Court, Case No. 424-256; entitled James Tucker, et al. v. City and County of San Francisco, et al. (City Attorney)

3/14/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 8, 2005 to March 14, 2005, for reference by President to appropriate committee on March 22, 2005.

050389 [Settlement of Claim - Beatrice Mouser]

Resolution approving the settlement of the unlitigated claim filed by Beatrice Mouser against San Francisco for \$125,000; claim was filed on October 21, 2004.
(City Attorney)

3/14/2005, RECEIVED AND ASSIGNED to Rules Committee.

050419 [PUC Commercial Paper Issuance]

Resolution approving the substitution of the letter of credit with respect to the San Francisco Public Utilities Commission's Commercial Paper Notes (Water Series) and related matters.
(Public Utilities Commission)

3/14/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050485 [Petitions and Communications]

Petitions and Communications received from March 8, 2005 through March 14, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 22, 2005.

From concerned citizens, urging the Board to reject Public Utilities Commission's request for \$300,000 to study the feasibility of a publicly owned and operated Internet Service Provider (ISP) infrastructure and service. Approximately 150 letters (1)

From Department on the Status of Women, submitting "Strategic Plan" for the Commission on the Status of Women, for fiscal year 2004-05. (2)

From June Gaunger, submitting opposition to the current practice of the Department of Public Health regarding moving psychiatric patients from S.F. General Hospital to Laguna Honda Hospital. File 041401 (3)

From Matt Chambers, submitting support for the municipal broadband study as long as Muni does not manage it. (4)

From Betty Magovern, submitting opposition to proposed legislation regulating the riding of skateboards in San Francisco. File 041745, Copy: Each Supervisor (5)

From D. Miles Jr., regarding his first Skateboard Task Force meeting. File 041745, Copy: Each Supervisor (6)

From the Greater West Portal Neighborhood Association, submitting support to delay the design of the garage access route (Golden Gate Music Concourse) until it can be integrated into a more comprehensive plan for traffic flow within and across Golden Gate Park. Copy: Each Supervisor (7)

From Law Offices of Stephen M. Williams, submitting request for continuance of appeal of revised Certificate of Exemption from Environmental Review for property located at 1739-1750 Van Ness Avenue until April 19 or 26, 2005. File 041275, Copy: Each Supervisor (8)

From De Anza Properties, regarding proposed condos at 310 Townsend Street. (9)

From State Department of Youth Authority, submitting notice of public hearing on April 25, 2005 in Sacramento on the proposed regulatory action on the collection of DNA specimens. Copy: Each Supervisor (10)

From Office of the Mayor, submitting notice that the Mayor's Office has offered a conditional waiver to San Francisco Cycling, LLC for the cost of police services provided to the 2004, 2005, 2006 and 2007 T-Mobil International Bike Races. (11)

From Chuck Huntington, urging Supervisor Ammiano to continue to look at the practices of news media helicopters which fly around residential areas in the early morning hours. Copy: Supervisor Ammiano (12)

From Human Services Agency, submitting notice that the Department will need additional time to collect more information on client demographics. (Reference No. 20050208-001) (13)

From Ethics Commission, submitting notice that Matt Gonzalez is requesting a waiver of San Francisco Campaign and Government Conduct Code Sections 3.234(a)(1)(D) and 3.234(b)(1) to allow himself to communicate with attorneys in the City Attorney's and District Attorney's offices. Copy: Each Supervisor (14)

From State Rules Committee, submitting appointment of Nancy S. Drinkard of Santa Cruz as a member of the State Board of Forestry and Fire Protection, for term ending January 15, 2008. (15)

From Public Utilities Commission, submitting work plan on creating a public power utility for Treasure Island and Yerba Buena Island. (Reference No. 20050201-011) Copy: Supervisor Mirkarimi (16)

From Department of Public Works, regarding status of clearing the gutter of debris and asphalt at 1800 Laguna Street. (Reference No. 20050222-002) Copy: Supervisor Mirkarimi (17)

From Department of Public Works, regarding status of a sinkhole in the eastbound lane of Golden Gate Avenue, between Laguna and Buchanan Streets. (Reference No. 20050301-003) Copy: Supervisor Mirkarimi (18)

From Department of Public Works, regarding status of pruning a tree that obscures the stop sign at Grattan and Cole Streets. (Reference No. 20050125-006) Copy: Supervisor Mirkarimi (19)

From Human Services Agency, responding to inquiry as to whether the Human Services Agency plans to apply for Transitional Jobs Program funding from the Institute for Youth, Education and Families of the National League of Cities. (Reference No. 20050201-007) Copy: Supervisor Sandoval (20)

From Office of the Controller, submitting the Biannual Overtime Report, covering the period from July 1, 2004 through January 28, 2005; and including both overtime and holiday pay compensation. (21)

From Shute, Mihaly & Weinberger LLP, regarding the City and County of San Francisco v. Myers Natoma Venture LLC et al, San Francisco Superior Court, Case No. 435-334. Copy: Each Supervisor (22)

From Department of Public Health, submitting an electronic signed copy of Article 31, regulations that were approved by the Health Commission as authorized by Board Ordinance No. 303-04. File 041541 (23)

From concerned citizens, submitting copy of letter sent to the Public Utilities Commission regarding their initial comments on revision of the Water System Improvement Program. File 050313, copy: Each Supervisor (24)

From Pat Ackerman, commenting on various aspects of the Transbay Terminal Project. (25)

From Office of the Treasurer, submitting correspondence and its attachments that show the investment activity (for fiscal year to date) of portfolios under management. (26)

From concerned citizens, urging the Board to uphold the appeal of Conditional Use issued for the Harding Theater at 604-624 Divisadero Street. File 050087, Copy: Each Supervisor (27)

From Melissa Kite, submitting opposition for placing a suicide barrier on the Golden Gate Bridge. File 050362, Copy: Each Supervisor (28)

From United Animal Nations, submitting copy of the "United Animal Nations Journal" which acknowledges the passage of the Humane Dog Ordinance. (29)

From Trent Lethco, regarding the recruitment process for the new Planning Director. Copy: Supervisor Duffy (30)

From Russell Lewis, commending Supervisor Daly for the creation of his website. Copy: Supervisor Daly (31)

From Marvin Pettey, submitting opposition to posting firefighters in "dangerous neighborhoods". Copy: Each Supervisor (32)

From Maurice Matamoros Casals, regarding denial of his construction permit. (33)

ADJOURNMENT

FEB 25 2005

SAN FRANCISCO
PUBLIC LIBRARY

**NOTICE OF PUBLIC HEARING OF THE
SAN FRANCISCO BOARD OF SUPERVISORS
ON THE PROPOSED REDEVELOPMENT PLAN FOR THE TRANSBAY
REDEVELOPMENT PROJECT AREA AND ON THE ADOPTION OF
OTHER FINDINGS PURSUANT TO THE CALIFORNIA COMMUNITY
REDEVELOPMENT LAW**

02-25-05 F02 07 KCVI

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco (the "Board") will hold a public hearing on Tuesday, March 29, 2005, at 4:00 p.m., in City Hall, 2nd Floor Legislative Chamber, located at 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the proposed Redevelopment Plan for the Transbay Redevelopment Project (the "Redevelopment Plan"), the adoption of other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Section 33445 and 33679, and all evidence and testimony for or against the approval of the proposed Redevelopment Plan. At any time not later than the hour set forth above for the hearing of objections to the proposed Redevelopment Plan before the Board of Supervisors on Tuesday, March 29, 2005, any person may file in writing with the Clerk of the Board at City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, California 94102, a statement of objections to the Redevelopment Plan. At the day, hour and place of the hearing, any and all persons having any objections to the proposed Redevelopment Plan may appear before the Board and show cause why the Redevelopment Plan should not be approved.

The Redevelopment Plan proposes to create a new project area south of downtown that includes the Transbay Terminal and a number of publicly-owned parcels that were formerly occupied by a portion of the Embarcadero Freeway (the "Project Area"). The proposed Project Area is approximately 40 acres in size and roughly bounded by Mission Street to the north, Main Street on the east, Folsom Street on the south, and Second Street on the west. The Redevelopment Plan would allow the Redevelopment Agency of the City and County of San Francisco (the "Agency") to: 1) redevelop over 12 acres of vacant and underutilized property as high-density, transit-oriented residential and commercial projects; 2) construct approximately 3,400 housing units of which approximately 1,200 units would be affordable to very low- to moderate- income households; 3) enforce Development Controls and Design Guidelines to ensure that new developments provide a high-quality, livable community; 4) create streetscape and public open space improvements throughout the Project Area; and 5) provide funding toward the construction of a new Transbay Terminal (the "Transbay Terminal Project") and a downtown extension of the Caltrain commuter rail line (the "Caltrain Downtown Extension"). In order to eliminate the conditions requiring redevelopment, the proposed Redevelopment Plan authorizes the Agency to purchase real property located in the Project Area by any means authorized by law, including eminent domain. A map and copy of the legal description of the boundaries of the proposed Project Area are attached to this notice.

Pursuant to Sections 33445 and 33679 of the California Health and Safety Code, and as further detailed in the Report on the Redevelopment Plan: (1) the estimated Agency obligation for the tax increment revenue dedicated to the Transbay Terminal Project is \$178.2 million (in constant FY 2004/05 dollars); (2) the Transbay Terminal Project is of benefit to the Project Area; (3) no other reasonable means of financing the construction of the Transbay Terminal Project is

available to the community; and (4) the use of Agency funds to construct the Transbay Terminal Project will assist in the elimination of blighting conditions in the Project Area, specifically, the elimination of a dilapidated and obsolete terminal building which will be replaced by the Transbay Terminal Project. The Transbay Terminal Project will help to revitalize the Project Area and stimulate private investment. The Transbay Terminal Project is a public benefit and a central part of the Redevelopment Plan.

Pursuant to California Government Code Section 65009, members of the public are advised that if they challenge the adoption of the Redevelopment Plan or any related actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Board at, or prior to, the public hearing.

A Joint Environmental Impact Statement/Environmental Impact Report ("EIS/EIR") for the Transbay Terminal, Caltrain Downtown Extension, and Redevelopment Plan have been prepared and circulated for review. The Final EIS/EIR was completed in November 2003 by the three co-lead agencies: the City and County of San Francisco (the "City"), the Peninsula Corridor Joint Powers Board (the "JPB"), and the Agency, and then transmitted to the Federal Transportation Agency for approval. The purpose of the Final EIS/EIR is to analyze the combined environmental impacts of three distinct but interdependent projects: the new Transbay Terminal, the Caltrain Extension, and the Redevelopment Plan. The Agency Commission certified the Final EIS/EIR on April 20, 2004, and the City's Planning Commission and the JPB certified the Final EIS/EIR on April 22, 2004.

The San Francisco Redevelopment Agency has also prepared a Report on the Redevelopment Plan in accordance with the requirements of California Health and Safety Code Section 33352 containing other information pertinent to consideration of the proposed Redevelopment Plan. Following the close of the public hearing, the Board will consider approval of the proposed Redevelopment Plan.

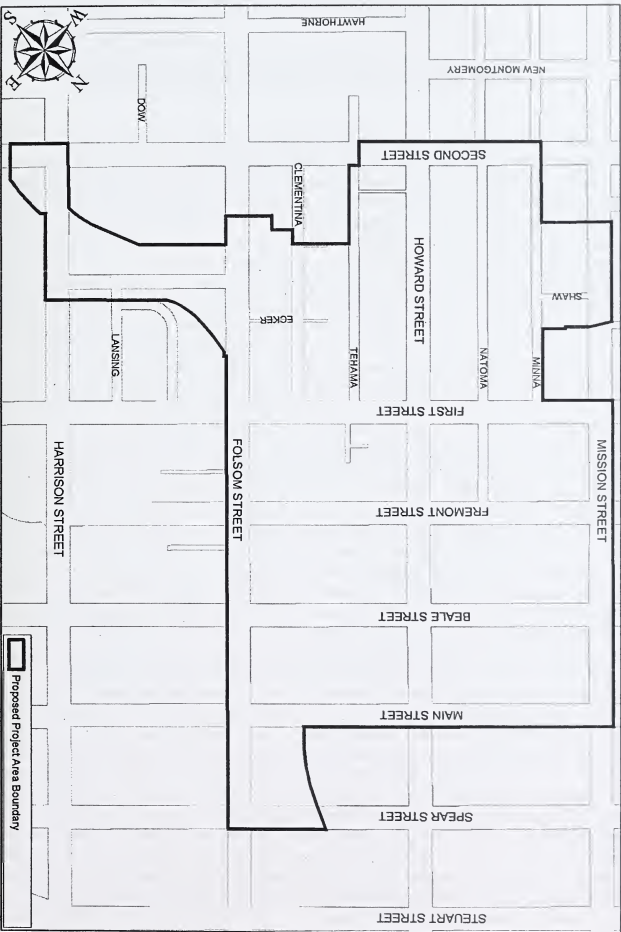
Interested persons may inspect and, upon payment of the costs of reproduction, obtain copies of the text of the proposed Redevelopment Plan, the Report on the Redevelopment Plan, and any other information pertaining to the proposed Redevelopment Plan at the office of the San Francisco Redevelopment Agency, 770 Golden Gate Avenue, San Francisco, California or at the office of the Clerk of the Board, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, California. For more information, contact Mike Grisso, Project Manager, at (415) 749-2510 or mike.grisso@sfgov.org.

By the order of the Redevelopment Agency of the City and County of San Francisco.

DATED: February 24, 2005.



Eryin Tanjuaquio
Commission Secretary



 **Proposed Project Area Boundary**

Proposed Transbay Redevelopment Project Area

REDEVELOPMENT PLAN FOR THE TRANSBAY REDEVELOPMENT PROJECT

LEGAL DESCRIPTION OF PROJECT AREA BOUNDARIES

BEGINNING at the point of intersection of the northwesterly line of Mission Street with the northeasterly line of Main Street, said point being the most southerly corner of Assessor's Block 3712; running thence southeasterly along said northeasterly line of Main Street and its southeasterly prolongation to a point in a line that is parallel with and distant thereon 183.33 feet northwesterly from the northwesterly line of Folsom Street, last said point being in the southwesterly line of Assessor's Block 3740; thence northeasterly along said parallel line a distance of 84.48 feet, more or less, to the beginning of a tangent curve to the left; thence northeasterly and northerly along said curve to the left, having a radius of 958 feet, an arc length of 284.16 feet, more or less, to a point in the northeasterly line of Spear Street, distant thereon 292.278 feet southeasterly from the southeasterly line of Howard Street, last said point being in the southwesterly line of Assessor's Block 3741; thence southeasterly along last said line of Spear Street to a point in the southeasterly line of Folsom Street, last said point being the most northwesterly corner of Assessor's Block 3744; thence southwesterly along last said line of Folsom Street and its southwesterly prolongations to a point thereon, distant 160 feet southwesterly from the southwesterly line of First Street, last said point also being in the northwesterly line of Assessor's Block 3749; thence southeasterly at right angles to last described course a distance of 8 feet to a point; thence southwesterly at right angles a distance of 17.55 feet to the point of beginning of a non-tangent curve to the left; thence southerly along said curve to the left, through an arc length of 196.27 feet to a point of compound curve to the left; thence southerly and southeasterly along said compound curve, through an arc length of 95.58 feet to a point of tangency; thence southeasterly, along a line that is tangent to last said curve at last mentioned point, a distance of 49.54 feet, more or less, to a point in the southwesterly line of Guy Place (35 feet in width); thence southeasterly along last said line of Guy Place and its southeasterly prolongation, a distance of 125 feet, more or less, to a point in the southeasterly line of Lansing Street (35 feet wide); thence northeasterly along last said line of Lansing Street, a distance 0.22 feet, more or less, to a point in a line that is parallel with and distant 57.72 feet northeasterly, measured at right angles, from the northeasterly line of Essex Street (50 feet wide); thence southeasterly along last said parallel line a distance of 232 feet 6 inches, more or less, to a point in the southeasterly line of Harrison Street, distant thereon 354.78 feet, more or less, southwesterly from the southwesterly line of First Street, last said point being in the northwesterly line of Assessor's Block 3764; thence southwesterly along said southeasterly line of Harrison Street to a point in a line that is parallel with and distant thereon 164.50 feet northeasterly, from the northeasterly line of Second Street; thence southeasterly along last said parallel line a distance of 17.96 feet to the point of beginning of a non-tangent curve to the right; thence southerly along last said curve, through an arc length of 163.333 feet, to a point in a line that is parallel with and distant 123 feet southeasterly, measured at right angles, from said southeasterly line of Harrison Street; thence southwesterly along last said parallel line a distance of 123 feet 5 inches to a point in the southwesterly line of Second Street (82 feet 6 inches wide), last said point being in the northeasterly line of Assessor's Block 3763; thence northwesterly

along said southwesterly line of Second Street and its northwesterly prolongations to the point of intersection with the northwesterly line of Harrison Street, last said point being in Assessor's Block 3750; thence northeasterly along said northwesterly line of Harrison Street and its northeasterly prolongation to the beginning point of a non-tangent curve, last said point being in the southeasterly line of Assessor's Block 3749; thence northerly and northwesterly along said non-tangent curve to the left, through an arc length of 146.79 feet, to a point of tangency; thence northwesterly, along a line that is tangent to last said curve at last mentioned point, a distance of 82.19 feet to an angle point therein; thence proceeding northwesterly along a continuous line a distance of 57.07 feet, more or less, to the point of intersection with a line that is parallel with and distant 87.50 feet southwesterly, measured at right angles, from the southwesterly line of Essex Street, as said street is located within said Assessor's Block 3749; thence northwesterly along last said parallel line a distance of 298.38 feet, more or less, to a point in the southeasterly line of Folsom Street; thence southwesterly along last said line of Folsom Street to a point thereon distant 175 feet from the northeasterly line of Second Street; thence northwesterly at a right angle to last said line of Folsom Street a distance of 162.5 feet to a point in Assessor's Block 3736; thence northeasterly at a right angle 50 feet; thence northwesterly at a right angle a distance of 75 feet, more or less, to a point in the southerly line of Clementina Street; thence northwesterly along last said line a distance of 50 feet to a point; thence northwesterly at a right angle, across Clementina Street and along the southwesterly line of Oscar Alley and its northwesterly prolongation, a distance 155 feet, more or less, to a point in the southerly line of Tehama Street; thence southwesterly along last said line a distance of 275 feet, more or less, to the point of intersection with the northeasterly line of Second Street; thence northwesterly along said northeasterly line of Second Street to a point thereon distant 165 feet southeasterly from the southeasterly line of Howard Street, last said point being in the northwesterly line of Tehama Street, in said Assessor's Block 3736; thence southwesterly, along the southwesterly prolongation of said line of Tehama Street, to a point in the southwesterly line of Second Street, last said point being in the northeasterly line of Assessor's Block 3735; thence northwesterly along last said line of Second Street to a point in the northwesterly line of Minna Street (35 feet wide), last said point being in the northeasterly line of Assessor's Block 3722; thence northwesterly along said northwesterly line of Minna Street and its northeasterly prolongation to a point thereon distant 200 feet northeasterly from the northeasterly line of Second Street, last said point being in Assessor's Block 3721; thence northwesterly, along a line that is at a right angle to last described course, to a point in the northwesterly line of Mission Street, last said point being in the southeasterly line of Assessor's Block 3708; thence northeasterly along last said line of Mission Street to the point of intersection with the southeasterly line of Ecker Street; thence southeasterly, at an angle, to a point in the southeasterly line of Mission Street, being also the northwesterly line of Assessor's Block 3721, last said point being 256.25 feet, more or less, measured along last said line of Mission Street, from the southwesterly line of First Street; thence southeasterly, at a right angle to last said line of Mission Street, a distance of 80 feet to a point; thence northeasterly at a right angle a distance of 6.417 feet to a point; thence southeasterly at a right angle a distance of 80 feet to a point in said northwesterly line of Minna Street in Assessor's Block 3721; thence northeasterly along last said line of Minna Street to a point in the southwesterly line of First Street, last said point being in the northeasterly line of Assessor's Block 3721; thence northwesterly along said southeasterly line of First Street a distance of 242 feet 6 inches, more or less, to a point in said northwesterly line of Mission Street (82 feet 6 inches wide), last said point being the most southeasterly corner of Assessor's Block 3708; thence

northeasterly along said northwesterly line of Mission Street and its northeasterly prolongations to a point in the northeasterly line of Main Street and the Point of Beginning.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAR 25 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 29, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Duffy, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Elsbernd

1. 050330 [Contract between DPH and Triage Consulting Group to provide retroactive claiming of aged accounts services]
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Daly, Elsbernd

2. 041272 **[To appropriate funding from the General Reserve to increase available funding in the Election Fund for public financing]**

Supervisor Daly

Ordinance appropriating, retroactively, \$87,678 from the General Fund Reserve to increase funds in the Election Campaign Fund for the purpose of public financing of all eligible candidates for the Ethics Commission for fiscal year 2004-2005.

(Fiscal impact.)

3/22/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 050117 **[Re-appropriate funding from Earthquake Safety Bond Phases 1 & 2 proceeds; re-appropriate funding from the Fire Bond proceeds and appropriate interest]**

Mayor

Ordinance re-appropriating \$5,769,221 from the Earthquake Safety Bond Phases 1 & 2 proceeds to fund \$2,724,875 on San Bruno Jail construction, \$2,746,336 on San Francisco Juvenile Hall Guidance Center Project construction, and \$298,010 for 4th Street Bridge construction for fiscal year 2004-05 and backfilling \$326,000 of lower COP interest earnings with Earthquake Safety Bond interest earnings for San Bruno Jail construction. Additionally, to re-appropriate \$487,610 from the sale of Fire Bond proceeds and to appropriate \$1,993,370 from Fire Bond interest earnings to fund construction expenses for Fire Station 2 for the Department of Public Works for fiscal year 2004-2005.

(Fiscal impact.)

3/22/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 050137 **[Public Employment - Various Departments]**

Supervisor McGoldrick

Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 7.4 positions at Airport Commission, Department of Human Resources, Human Services Agency, Public Health, Public Works, Recreation and Park, Human Rights Commission, and the Department on the Status of Women.

(Fiscal impact.)

3/1/2005, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

3/22/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

5. 050061 [Real Property Reporting and Planning]
Supervisors Elsbernd, Alioto-Pier, Mirkarimi, Peskin
Ordinance adding Section 23.8 to the San Francisco Administrative Code to establish a City policy that all City departments report annually to the Real Estate Division certain real property information, that relevant property information be recorded and geographically displayed in the Real Estate Information System (REIS), and the Director of Property prepare an annual report to the Board of Supervisors with real property asset management recommendations.

3/22/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 050459 [Appointment - Children and Families First Commission]
Resolution appointing Hector Melendez, term ending April 29, 2006, to the Children and Families First Commission.
Hector Melendez, succeeding Margaret Brodtkin, seat 5, resigned, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for the unexpired portion of a four-year term ending April 29, 2006.

Question: Shall this Resolution be ADOPTED?

7. 050460 [Appointment - Commission on the Aging Advisory Council]
Resolution appointing Sharon Eberhardt, term ending March 31, 2007, to the Commission on the Aging Advisory Council.
Sharon Eberhardt, succeeding Leonard Ke, term expired, seat 9, must be nominee of District 11 Supervisor, for a two-year term ending March 31, 2007.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

8. 050071 [Shopping Cart Signage and Security Requirements]
Supervisor Ma
Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1414, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed.

3/15/2005, CONTINUED. Continued to March 22, 2005

3/22/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

9. 041071 [Amending Planning Code Section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District]
Supervisor Peskin
Ordinance to amend the Planning Code by amending section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

3/22/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

10. 041571 [Chapter 6 Technical Amendments]

Supervisors Ma, Peskin

Ordinance amending San Francisco Administrative Code Chapter 6 to update section 6.2, to add new section 6.9 concerning subcontractor limitation of rights, to add new subsection 6.20(F) for a bidder prequalification process, to add new subsection 6.21(A)(10) to allow a specification requirement for contractor work with its own forces, to revise subsection 6.21(C) to allow a department head to reject all bids, to revise subsection 6.22(J) concerning retention of progressive payments, to add a new subsection 6.22(Q) concerning public work contract claims, to revise section 6.41 concerning subsequent phase competition for design services, to revise section 6.60 emergency contracting procedures, to revise section 6.61 design-build contracting procedures, to revise section 6.62 job order contracting procedures, to revise 6.64 as-needed contracting procedures, and to revise section 6.65 special service contracting procedures.

3/22/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

3/22/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

11. 050136 [Requiring departments to use interdepartmental mail]

Supervisor Ma

Ordinance amending Chapter 8 of the Administrative Code by adding a new section 8.17 to require departments to use interdepartmental mail subject to certain limited exceptions.

3/22/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

**12. 050178 [Regulations for Junk Dealers]
Supervisor Maxwell**

Ordinance amending San Francisco Municipal (Police) Code Part II, Chapter VII Sections 974.1, 974.4, 974.11, 974.12, 974.14, 974.15, 974.21 and 974.22, and by renumbering and amending 974.10-1, to align definitions to those of the California Business and Professions Code and to define "buy book", require that a permit applicant include additional information in the permit application, including a requirement that a permit holder inform the Police Department if the business will engage in welding, use of a propane tank, or cutting torches operated by compressed gasses and provide copies of permits for those activities; expand the types of information that the Chief of Police may consider in determining whether to grant the permit including convictions for fraud and crimes related to the environment, permit revocations from other government agencies, and civil penalties imposed related to the operation of a junk dealer or hazardous material or the environment; provide examples of types of "cause" that would justify a revocation of the permit and clarify that the standard of proof is a preponderance of the evidence; clarify the prohibition of operating at another location not listed on the permit; set forth the rules under which the permit holder operates, including a requirement that the permit holder keep all items purchased in the same condition for five days, allow non-peace officer who have the authority to enforce rules and regulations on the premises to inspect, maintain a record of all purchases that includes requiring the seller to produce a valid form of identification for each transaction, maintain the "buy book" in serial-number order for a period of three years and to allow inspection of the book, maintain the sidewalk and other areas adjacent to the premises clear of obstacles, trash and debris, and prevent loitering; clarify that a violation of these provisions is a misdemeanor; and grant the Chief of Police authority to temporarily suspend operation of the business if it presents an immediate threat to the public health and safety; adding Sections 974.10-2 and 974.14-2 to require the permit holder to provide current information to the Chief on an annual basis and to require the Chief to make a determination of whether to move to revoke the permit; and to prohibit the junk dealer from making purchases (1) from anyone who does not have a valid identification, (2) of parts that contain hazardous materials; and (3) of goods that may be stolen; repealing Sections 974.18, 974.19 and 974.24 to repeal the holding period exemption for purchases from other junk dealers; repeal the prior requirements for buy books, and repeal the provision regarding pre-existing permits.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present. Supervisors Maxwell, Sandoval, McGoldrick

13. 050181 **[General Plan amendments in connection with the Transbay Redevelopment Plan]**
Mayor, Supervisor Daly
Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.
(Companion measure to Files 050181, 050182, 050183, and 050184.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 050182 **[Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]**
Mayor, Supervisor Daly
Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 050183 **[Zoning Map amendments in connection with the Transbay Redevelopment Plan]**
Mayor, Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval

16. 041688 [Residential Rent Ordinance, Additional Keys]

Supervisor Daly

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.13 "Keys" to provide that: the landlord must provide additional keys/key-sets within fourteen (14) days of a tenant's written request unless the landlord denies the request in writing within that time period (the current ordinance does not set a deadline for providing the additional keys/key-sets), and failure to respond within the fourteen days constitutes a substantial decrease in housing services; the landlord may charge only for documented replication costs and may not require other charges or deposits or terms or conditions of any kind, and imposing such other terms or conditions constitutes a substantial decrease in housing services; a tenant's petition to the Rent Board to decide a disputed request may include a failure to respond within fourteen days, or a disagreement regarding terms or conditions for the additional keys/key-sets; and, unreasonable denial of additional keys/key-sets also constitutes a "substantial" decrease in housing services (the word "substantial" is new in this provision).

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval, McGoldrick

17. 041748 [Development Agreements]

Supervisor Daly

Ordinance amending the San Francisco Administrative Code by amending Sections 56.2 and 56.3 to allow a housing project to enter into a Development Agreement with the City if the project has a minimum of 1,000 units, includes two or more buildings, will be built on a site exceeding two and one-half acres, and provides public benefits beyond those achievable through existing ordinances and regulations; adopting findings under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

18. 050458 [Appointment - Community Choice Aggregation Citizens Advisory Task Force]

Resolution appointing Paul Fenn and Ron Dicks, terms ending May 31, 2006, to the Community Choice Aggregation Citizens Advisory Task Force.

Paul Fenn, new appointment, seat 1, must be an expert on Community Choice Aggregation, for the unexpired portion of a two-year term ending May 31, 2006.

Ron Dicks, new appointment, seat 4, must be a representative of labor, for the unexpired portion of a two-year term ending May 31, 2006.

Question: Shall this Resolution be ADOPTED?

19 050461 [Appointment - Shelter Monitoring Committee]

Resolution appointing Bruce Allison, Christoph Jones and Diana Valentine, terms ending November 23, 2006, to the Shelter Monitoring Committee.

Bruce Allison, new appointment, seat 1, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Christoph Jones, new appointment, seat 2, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Diana Valentine, new appointment, seat 3, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2006.

(Supervisor Alioto-Pier dissenting on the appointment of Diana Valentine.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

20. 050425 [Hearing - Emergency Ordinance reenacting a Disadvantaged Business Enterprise Program]
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

21. 050426 [Reenacting a Disadvantaged Business Enterprise Program]
Supervisor Ammiano
Emergency Ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

22. 050480 [Public Hearing - Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area]
Hearing to consider the possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

23. 050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly
Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

24. 050365 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 787 (aka 785) Brannan Street]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on February 7, 2005, Case 2004.0560E, approving a Final Mitigated Negative Declaration for the proposed construction of a 5-story, approximately 50-foot tall, 29,653 gross-square-foot (gsf) residential building with 56 single room occupancy (SRO) units. The second through fifth floors would include 12 SRO units on each. No off-street parking or off-street loading would be provided. A 900-square foot roof deck would be provided as common usable open space meeting the requirements of Planning Code. The project site is 6,124 square feet in size and currently used as a surface parking lot, located on the northeast corner of Brannan Street and Gilbert Street in the South of Market District. Pedestrian access to the building lobby and the community room would be through one door mid-lot on Brannan. All of the units would be rental units designated as permanently affordable to households with income not exceeding 50% of the City's median income. The project site is zoned SLI (Service Light Industrial) and is within a 50-X Height and Bulk District. Conditional Use authorization is required for SRO units in the SLI district, and parking, rear yard, and permitted obstruction variances would be required for the proposed project. The project is located at 787 (aka 785) Brannan Street, Assessor's Block 3784, Lot 18. (Appellants: Gerrie Scott representing Citizens for Cleaner, Safer SOMA, Anusha Chari, Nathan Letts, et al.)

(Filed February 23, 2005; companion measure to Files 050366, 050367, 050368; District 6.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

25. 050366 [Affirming adoption of the negative declaration for 787 (aka 785) Brannan Street]
Motion affirming Planning Commission adoption of the final negative declaration for 787 (aka 785) Brannan Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
26. 050367 [Reversing adoption of the negative declaration for 787 (aka 785) Brannan Street]
Motion reversing the Planning Commission adoption of the final negative declaration for 787 (aka 785) Brannan Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
27. 050368 [Preparation of findings to reverse adoption of the negative declaration for 787 (aka 785) Brannan Street]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 787 (aka 785) Brannan Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pending approval of File 050510.)

28. 050511 [Hearing - Interim Moratorium on Medical Cannabis Dispensaries]
Hearing to consider the possible adoption of an Urgency ordinance approving an interim zoning moratorium throughout the City for 45 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

29. 050512 [Zoning - Interim Moratorium on Medical Cannabis Dispensaries]
Supervisors Mirkarimi, Alioto-Pier, Maxwell, Peskin, McGoldrick, Elsbernd, Ammiano, Ma, Dufty
Urgency ordinance approving an interim zoning moratorium throughout the City for 45 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item was considered by the Budget and Finance Subcommittee at a Regular Meeting on Thursday, March 24, 2005 at 11:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 29, 2005.

30. 050435 [Rejecting the Mayor's Offer of a Conditional Waiver]
Supervisor Daly
Resolution rejecting the Mayor's offer of a conditional waiver to San Francisco Cycling, LLC for the cost of police services.

Question: Shall this Resolution be ADOPTED?

The following item was considered by the Budget and Finance Subcommittee at a Regular Meeting on Thursday, March 24, 2005 at 11:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report as a Special Order on Tuesday, March 29, 2005 at 4:00 p.m.

31. 050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

33. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

CLOSED SESSION**34. 050463 [Closed Session - Existing Litigation, Potential Litigation]****Supervisor Ammiano**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and to consider the possibility of affirmative litigation in light of the status of the bankruptcy matter listed below:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) and (2) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

In Re: PACIFIC GAS AND ELECTRIC COMPANY, Debtor
U. S. Bankruptcy Court, Northern District of California, No. 01-30923 DM
Federal I. D. No. 94-0742640
Date Filed: 4/6/01

Action: _____

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 35 through 49

35. 050510 [Committee of the Whole - March 29, 2005, at 5:00 p.m.]
Supervisor Mirkarimi
Motion for the Board of Supervisors to convene as a committee of the whole on March 29, 2005, at 5:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance approving an interim zoning moratorium throughout the City for 45 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
36. 050514 [Joint Powers Agreement with the San Francisco Health Authority]
Supervisors Ammiano, Daly, Mirkarimi, Elsbernd, McGoldrick, Dufty
Resolution approving Joint Powers Agreement with the San Francisco Health Authority to create a Joint Powers Authority to operate the Non-Medi-Cal health plans currently operated by the San Francisco Health Authority.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 050515 [Commending Double Rainbow Ice Cream]
Supervisor Daly
Resolution commending Double Rainbow Ice Cream for 25 years of community service, and their dedication in improving the lives of youth, chronically ill, and homeless individuals in San Francisco.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 050516 [Recycling assistance renewal]
Supervisor Dufty
Resolution authorizing the San Francisco Department of the Environment to submit an application for the renewal of a Recycling Market Development Zone designation for the purpose of assisting recycling-based businesses to develop recycled material markets in San Francisco.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

39. 050517 **[National Public Health Week]**
Supervisor Ma
Resolution recognizing April 4-10, 2005, as National Public Health Week in the City and County of San Francisco.
- 3/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
40. 050518 **[San Francisco Veterans Affairs Medical Center]**
Supervisor Ma
Resolution commending the accomplishments and innovations of the San Francisco Veterans Affairs Medical Center's robust research program.
- 3/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 050519 **[Accept-Expend Federal Grant - 2005 Mayor's Summer Food Service Program]**
Supervisor Maxwell
Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$743,450 from the United States Department of Agriculture for the 2005 Mayor's Summer Food Service Program.
- 3/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 050520 **[Support of Cleaner School Buses for the San Francisco Unified School District]**
Supervisors Maxwell, Ammiano
Resolution supporting Cleaner School Buses for the San Francisco Unified School District and urging the School District to aggressively pursue a new bus contract that would adhere to all the goals of the city to run clean, low-emission buses.
- 3/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 050521 **[Urging Governor Schwarzenegger and the California Legislature to ensure that California gets its fair share of federal funding]**
Supervisor McGoldrick
Resolution urging Governor Arnold Schwarzenegger, the California Congressional Delegation, and the State Legislature to work together to ensure that the 2006 federal budget now under consideration provides California its fair share of federal funding.
- 3/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

44. 050522 [Urging the Mayor to release funds to the Department of Public Health]
Supervisor McGoldrick
Resolution urging the Mayor to release funding for the Department of Public Health to fund Public Health Nurses, Senior-Medical Social Workers, and a Health Care Billing Clerk in FY 04-05.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 050523 [Urging Governor Schwarzenegger to re-visit California's "Three Strikes" law]
Supervisor McGoldrick
Resolution urging the Governor of California to re-visit the "Three Strikes" law adopted by California voters and the state legislature in 1994.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
46. 050524 [California National Guard and the War in Iraq]
Supervisors McGoldrick, Mirkarimi, Daly
Resolution urging the Governor of California to request the Pentagon, the President and Congress to take steps to withdraw California National Guard troops from Iraq.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
47. 050539 [Far West Fungi Day]
Supervisors Peskin, Maxwell, Ammiano
Resolution declaring April 1, 2005 Far West Fungi Day in San Francisco.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
48. 050540 [Traffic Conditions on Telegraph Hill Boulevard]
Supervisor Peskin
Resolution urging the Municipal Railway, Department of Parking and Traffic and Recreation and Parks Department to implement a Public Transit and Traffic Facilitation Pilot Program on Telegraph Hill Boulevard in the summer of 2005.

3/22/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

49. 050538 [Supporting the Youth Commission's leadership and participation in the Department of Children, Youth, and Families' 3% Youth Initiated Projects Initiative]
Supervisor Peskin

Motion supporting the Youth Commission's leadership and participation in the Department of Children, Youth, and Families' 3% Youth Initiated Projects Initiative.

3/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

50. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 15, 2005 to March 21, 2005, for reference by President to appropriate committee on March 29, 2005.

050415 [Establishing a tour bus restriction on Baker Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.35 to establish a tour bus restriction on Baker Street between Richardson Avenue and Union Street.

(Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050420 [Establishing a tour bus restriction on Broderick Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.36 to establish a tour bus restriction on Broderick Street between Richardson Avenue and Union Street.

(Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/18/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050421 [Establishing a tour bus restriction on Chestnut Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.32 to establish a tour bus restriction on Chestnut Street between Lyon Street and Richardson Avenue.

(Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050478 [Establishing a tour bus restriction on Greenwich Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.33 to establish a tour bus restriction on Greenwich Street between Lyon and Divisadero Streets.

(Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050479 [Establishing a tour bus restriction on Filbert Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.34 to establish a tour bus restriction on Filbert Street between Lyon and Divisadero Streets.

(Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050525 [Establishing commercial vehicle weight restrictions on Broderick Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.58 to establish a commercial weight restriction on Broderick Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050526 [Extending commercial vehicle weight restriction on Chestnut Street]

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.9 to extend the commercial vehicle weight restriction on Chestnut Street to include Chestnut Street between Lyon and Broderick Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050527 [Establishing commercial vehicle weight restrictions on Greenwich Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.57 to establish a commercial vehicle weight restriction on Greenwich Street between Divisadero and Lyon Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050528 [Establishing commercial vehicle weight restrictions on Filbert Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.59 to establish a commercial weight restriction on Filbert Street between Divisadero and Lyon Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050529 [Extending commercial vehicle weight restrictions on Baker Street]

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.3, establishing a commercial vehicle weight restriction on Baker Street, by extending the restriction to include Baker Street between Union Street and Marina Boulevard. (Parking and Traffic Department)

(DPT Order No. 2974.)

3/21/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

Proposed resolution received from March 15, 2005 to March 21, 2005, for reference by President to appropriate committee on March 29, 2005.

050414 [Gift - Private]

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift in the amount of \$138,766 from the Avon Foundation, via the San Francisco General Hospital Foundation, for the purchase of technical and logistical services in support of the operation of the mobile mammography facility vehicle, donated to the City in 2004, by the University of California, San Francisco. The mobile mammography facility vehicle provides services to indigent and underserved women in San Francisco.

(Public Health Department)

3/16/2005. RECEIVED AND ASSIGNED to Budget and Finance Committee.

050541 [Petitions and Communications]

Petitions and Communications received from March 15, 2005 through March 21, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 29, 2005.

From Department of Public Health, regarding the current staffing and service capabilities of the Special Programs for Youth, a Community Behavioral Health Program. (1)

From C. Gemehl, commenting that skateboarders are a danger for the older population; and urging the Board not to pass proposed legislation which would allow skateboarders to ride on residential sidewalks 24 hours a day or in commercial areas when businesses are not open. File 41745, Copy: Each Supervisor (2)

From Ethics Commission, granting waiver request for Matt Gonzalez to communicate with the City Attorney and District Attorney's Offices in representing his clients in claims filed with the City before a lawsuit is commenced, cases filed in court or criminal proceedings is granted. Copy: Each Supervisor (3)

From Office of the Controller, submitting the regular set of high level financial reports for the month of February 2005 showing fiscal year 2004-05 status and year-end figures for the prior year 2003-04. (4)

From Ethics Commission, submitting notice that the Ethics Commission approved legislation related to the regulation of electioneering communications. File 041489, Copy: Rules Committee (5)

From various signators, submitting annual Form 700 Statement of Economic Interests: (6)

Stanton Jones, Budget Analyst

Dawn Duran, Assessment Appeals Board Administrator

Gloria L. Young, Clerk of the Board

Gloria L. Young, Executive Director of the Local Agency Formation Commission

Madeleine Licavoli, Deputy Clerk

Erasmus Vazquez, IS Administrator III

Rose Chung, Legislative Assistant to Supervisor Aaron Peskin

Sarah He, Legislative Assistant to Supervisor Sophie Maxwell

Maria Destro, Assistant Clerk of the Board

Nancy Miller, LAFCO Consultant

Madeleine Miller, LAFCO Consultant

From Immigrant Rights Commission, submitting resolution supporting naming the former Bessie Carmichael Elementary School site (on Sherman and Folsom Streets) as Victoria Manalo Draves Park. Copy: Each Supervisor (7)

From Office of the City Attorney, submitting notice that appeal of Negative Declaration for proposed project at 724 Van Ness Avenue/650 Turk Street was not filed in a timely manner and therefore should not be calendared before the Board of Supervisors. (8)

From Public Utilities Commission, submitting request for release of reserved funds in the amount of \$300,000 for a feasibility study of a City broadband communications system. (9)

From Office of the Controller, submitting summary of reserves of the City and County of San Francisco for fiscal year 2004-05, including their amounts, legal uses, and a list of the source documents where these reserves are found. Copy: Budget/Finance Committee (10)

From Department of Telecommunications and Information Services, submitting costs to support the City's SFGov website. Copy: Supervisor Daly (11)

From Levy, Rain and Olson LLP, requesting a four-week continuance for appeal of proposed project at 606-624 Divisadero/1278 Hayes Streets. (12)

From Reuben & Junius LLP, agreeing to continuance for appeal of proposed project at 606-624 Divisadero/1278 Hayes Streets. Copy: Each Supervisor, City Attorney (13)

From Virginia Leishman, submitting her concern about the Social Rehabilitation grant that was recently awarded to Laguna Honda Hospital. File 050058, Copy: Each Supervisor (14)

From Norman Rolfe, regarding a newspaper article he wrote concerning cable cars that was printed March 14, 2005 in both the Chronicle and Examiner. (15)

From Planning Department, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and how many printers the Department has. (Reference No. 20050222-011) Copy: Supervisor Ma (16)

From Office of the city Attorney, submitting report that provides information on the number of hours of service provided to the Board of Supervisors during the first half of fiscal year 2004-05. (17)

From Bud Wilson, regarding the transfer of the Battleship Iowa to the Port of San Francisco. Copy: Each Supervisor (18)

From Fire Department, regarding settlement in the case of Rebecca Sturtz v. City and County of San Francisco. (Reference No. 20050222-017) Copy: Rules Committee (19)

From concerned citizens, submitting support for proposed legislation to prohibit formula retail use in the North Beach Neighborhood Commercial District. File 050254, Copy: Land Use Committee, Supervisor Peskin (20)

From Coalition for San Francisco Neighborhoods, submitting resolution urging sewer capacity fees for new developments in San Francisco. Copy: Each Supervisor (21)

From Planning Department, regarding appeal of Categorical Exemption for proposed expansion of the Chinese Independent Baptist Church located at 981 Washington Street. Copy: Each Supervisor (22)

From SF Local Agency Formation Commission, requesting the Board of Supervisors communicate immediately to the California Public Utilities Commission (CPUC) the status of the Community Choice Aggregation (CCA) Implementation Plan and requests that the CPUC considers this plan while evaluating the PG&E long-term contract. Copy: Each Supervisor (23)

From SF Local Agency Formation Commission, urging the Public Utilities Commission to communicate immediately, in writing, to the CPUC that the City and County of San Francisco is in the process of developing a Community Choice Aggregation Implementation Plan. Copy: Each Supervisor (24)

From Golden Gate Park Concourse Authority, responding to request from the Inner Sunset Merchants Association to remove their name from the current draft of the collateral piece being developed by the Concourse Authority entitled "Working Together for a Better Park". File 050279, Copy: Each Supervisor (25)

From Friends of the Music Concourse, urging the Mayor to reappointment Bill Lee as City Administrator. File 050279, Copy: Each Supervisor (26)

From California Department of Child Support Services, submitting the revised federal poverty level guidelines for compromise of assigned arrearages, family reunification. (27)

From California Department of Child Support Services, regarding federal grant opportunities and the grant approval process. (28)

From League of Historic American Theatres, submitting support for the revitalization of the Harding Theatre in San Francisco. File 050287, Copy: Each Supervisor (29)

From concerned citizens, submitting opposition to the Public Utilities Commission's request for \$300,000 to study the feasibility of a publicly owned and operated Internet Service Provider infrastructure and service. (30)

From Samantha Williams, submitting his support for the recently approved legislation regarding the humane treatment of all companion dogs. Copy: File 041494, Each Supervisor (31)

From Antonio Rocha, submitting opposition to banning handguns in San Francisco. Copy: Each Supervisor (32)

From concerned citizens, submitting opposition to placing a suicide barrier on the Golden Gate Bridge. File 050362, Copy: Each Supervisor (33)

From Christina Shin, commenting that the stop signs on the Great Highway by the Beach Chalet Restaurant causing huge traffic jams, and suggesting a stop light be installed in its place. Copy: Each Supervisor (34)

From Knut Mehr, urging the Board to proceed with investigating ways to minimize, if not outright ban air traffic above residential areas in San Francisco. Copy: Each Supervisor (35)

From Jeffrey McKenna, concerning his displeasure with the city's failure to actively clean-up graffiti in the neighborhood around 1st and Folsom Streets. Copy: Supervisor Daly (36)

From concerned citizens, submitting opposition to same sex marriages. (37)

From Cindi Johnson, submitting support to eliminate the City Administrator's job. Copy: Each Supervisor (38)

From Redevelopment Agency, submitting its financial and performance reports for the quarter ended December 31, 2004. (39)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT

APR - 1 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 5, 2005 10:00 AM

Rescheduled Meeting

AARON PESKIN, PRESIDENT

MICHEL A LIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the March 1, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

1. 041748 [Development Agreements]
Supervisor Daly

Ordinance amending the San Francisco Administrative Code by amending Sections 56.2 and 56.3 to allow a housing project to enter into a Development Agreement with the City if the project has a minimum of 1,000 units, includes two or more buildings, will be built on a site exceeding two and one-half acres, and provides public benefits beyond those achievable through existing ordinances and regulations; adopting findings under the California Environmental Quality Act.

3/29/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Sandoval

2. 041688 [Residential Rent Ordinance, Additional Keys]

Supervisor Daly

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.13 "Keys" to provide that: the landlord must provide additional keys/key-sets within fourteen (14) days of a tenant's written request unless the landlord denies the request in writing within that time period (the current ordinance does not set a deadline for providing the additional keys/key-sets), and failure to respond within the fourteen days constitutes a substantial decrease in housing services; the landlord may charge only for documented replication costs and may not require other charges or deposits or terms or conditions of any kind, and imposing such other terms or conditions constitutes a substantial decrease in housing services; a tenant's petition to the Rent Board to decide a disputed request may include a failure to respond within fourteen days, or a disagreement regarding terms or conditions for the additional keys/key-sets; and, unreasonable denial of additional keys/key-sets also constitutes a "substantial" decrease in housing services (the word "substantial" is new in this provision).

3/29/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present Supervisors McGoldrick, Duffy, Ma

3. 050178 [Regulations for Junk Dealers]

Supervisor Maxwell

Ordinance amending San Francisco Municipal (Police) Code Part II, Chapter VII Sections 974.1, 974.4, 974.11, 974.12, 974.14, 974.15, 974.21 and 974.22, and by renumbering and amending 974.10-1, to align definitions to those of the California Business and Professions Code and to define "buy book", require that a permit applicant include additional information in the permit application, including a requirement that a permit holder inform the Police Department if the business will engage in welding, use of a propane tank, or cutting torches operated by compressed gasses and provide copies of permits for those activities; expand the types of information that the Chief of Police may consider in determining whether to grant the permit including convictions for fraud and crimes related to the environment, permit revocations from other government agencies, and civil penalties imposed related to the operation of a junk dealer or hazardous material or the environment; provide examples of types of "cause" that would justify a revocation of the permit and clarify that the standard of proof is a preponderance of the evidence; clarify the prohibition of operating at another location not listed on the permit; set forth the rules under which the permit holder operates, including a requirement that the permit holder keep all items purchased in the same condition for five days, allow non-peace officer who have the authority to enforce rules and regulations on the premises to inspect, maintain a record of all purchases that includes requiring the seller to produce a valid form of identification for each transaction, maintain the "buy book" in serial-number order for a period of three years and to allow inspection of the book, maintain the sidewalk and other areas adjacent to the premises clear of obstacles, trash and debris, and prevent loitering; clarify that a violation of these provisions is a misdemeanor; and grant the Chief of Police authority to temporarily suspend operation of the business if it presents an immediate threat to the public health and safety; adding Sections 974.10-2 and 974.14-2 to require the permit holder to provide current information to the Chief on an annual basis and to require the Chief to make a determination of whether to move to revoke the permit; and to prohibit the junk dealer from making purchases (1) from anyone who does not have a valid identification, (2) of parts that contain hazardous materials; and (3) of goods that may be stolen; repealing Sections 974.18, 974.19 and 974.24 to repeal the holding period exemption for purchases from other junk dealers; repeal the prior requirements for buy books, and repeal the provision regarding pre-existing permits.

3/29/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufy, Ma

4. 050071 [Shopping Cart Signage and Security Requirements]

Supervisor Ma

Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1414, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed.

3/15/2005, CONTINUED. Continued to March 22, 2005

3/22/2005, PASSED ON FIRST READING.

3/29/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

3/29/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

5. 050181 [General Plan amendments in connection with the Transbay Redevelopment Plan]

Mayor, Supervisor Daly

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

3/29/2005, CONTINUED. Continued to April 5, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 050182 [Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly
Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.
- 3/29/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?
7. 050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.
- 3/29/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Subcommittee and Committee of the Whole

8. 050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly
Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.
(Fiscal impact.)
- 3/29/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

9. 050435 [Rejecting the Mayor's Offer of a Conditional Waiver]
Supervisor Daly
Resolution rejecting the Mayor's offer of a conditional waiver to San Francisco Cycling, LLC for the cost of police services.
(Fiscal impact.)
(Supervisor Elsbernd dissenting in Committee.)

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, McGoldrick

10. 050177 [100% owner-occupied TICs]
Supervisors Alioto-Pier, Dufty, Elsbernd
Ordinance allowing owners of 2-6 unit buildings to convert the building into a condominium where the building was owned as a tenancy-in-common on January 20, 2005 and was 100% owner-occupied on January 20, 2005 and making environmental findings.
(Primary sponsors: Supervisors Alioto-Pier and Dufty.)

3/1/2005, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Maxwell

11. 041489 [Regulation of Electioneering Communications]
Supervisors Maxwell, Peskin, Alioto-Pier, McGoldrick, Sandoval, Mirkarimi
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.
(Supervisor Alioto-Pier dissenting in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Alioto-Pier, Mirkarimi

12. 050348 [Authorizing the Mayor to add additional terms and conditions to the memorandum of agreement between the City and participants in the City's Annual Joint Fundraising Drive] Mayor, Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 16.93-5, to authorize the Mayor to add additional terms and conditions to the memorandum of agreement between the City and participants in the City's Annual Joint Fundraising Drive.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Alioto-Pier, Maxwell

13. 050531 [Appointment - Association of Bay Area Governments Executive Board]
Resolution appointed Supervisor Ross Mirkarimi, term ending June 30, 2005, to the Association of Bay Area Governments Executive Board.
Supervisor Ross Mirkarimi, succeeding Supervisor Matt Gonzalez, resigned, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2005.

Question: Shall this Resolution be ADOPTED?

14. 050532 [Appointment - Association of Bay Area Governments Finance Authority]
Resolution appointing Supervisor Ross Mirkarimi, term indefinite, to the Association of Bay Area Governments Finance Authority.
Supervisor Ross Mirkarimi, succeeding Supervisor Barbara Kaufman, resigned, seat 1, must be a member of the Board of Supervisors who in turn can appoint up to two alternates to act in his place in all matters authorized, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Alioto-Pier, Mirkarimi

15. 050533 [Appointment - California State Association of Counties]
Resolution appointing Supervisor Jake McGoldrick and Supervisor Gerardo Sandoval, terms ending November 28, 2005, to the California State Association of Counties Board of Directors.
Supervisor Jake McGoldrick, succeeding himself, term expired, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a one-year term ending November 28, 2005.
Supervisor Gerardo Sandoval, succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a one-year term ending November 28, 2005.

Question: Shall this Resolution be ADOPTED?

16. 050536 [Appointment - Peninsula Corridor Study Joint Powers Board]
Resolution appointing Supervisor Sophie Maxwell, term ending June 30, 2006, to the Peninsula Corridor Study Joint Powers Board.
Supervisor Sophie Maxwell, succeeding herself, term expired, seat 1, must be appointed by the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2006.

Question: Shall this Resolution be ADOPTED?

17. 050436 [Clerk of the Board to file inactive Charter Amendments]
Supervisor Alioto-Pier
Motion amending Rule 5.37 of the Rules of Order of the Board to require the Clerk of the Board to file proposed Charter Amendments that have not been submitted to the voters by the Board for the next election.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 10:45 A.M. - Recognition of Commendations

SPECIAL ORDER 11:00 A.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

18. 050374 [Public Hearing - Appeal of Tentative Subdivision Map for 4005 Mission Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated February 16, 2005, approving Tentative/Parcel Map to legalize the proposed construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street, San Francisco. (Appellant: Otto Wiegand)

(Companion Measure to Files 050375, 050376, 040377; District 11.)

3/22/2005, CONTINUED. Continued to April 5, 2005

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Subdivision Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

19. 050486 [Affirming the categorical exemption issued for 4005 Mission Street]

Motion affirming the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

3/22/2005, CONTINUED. Continued to April 5, 2005

Question: Shall this Motion be APPROVED?

20. 050487 [Disapproving the categorical exemption issued for 4005 Mission Street]
Motion disapproving the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 3/22/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Motion be APPROVED?
21. 050488 [Preparation of findings related to the categorical exemption issued for 4005 Mission Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 3/22/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be adopted.)

22. 050375 [Tentative Subdivision Map for 4005 Mission Street]
Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street.
(Clerk of the Board)
- 3/22/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Motion be APPROVED?
23. 050376 [Tentative Subdivision Map for 4005 Mission Street]
Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street.
(Clerk of the Board)
- 3/22/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Motion be APPROVED?
24. 050377 [Findings - 4005 Mission Street]
Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75 at 4005 Mission Street.
(Clerk of the Board)
- 3/22/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Motion be APPROVED?

25. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

26. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 27 through 34

27. 050522 [Urging the Mayor to release funds to the Department of Public Health]
Supervisor McGoldrick
Resolution urging the Mayor to release funding for the Department of Public Health to fund Public Health Nurses, Senior Medical Social Workers, and a Health Care Billing Clerk in FY 04-05.
- 3/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
3/29/2005, CONTINUED. Continued to April 5, 2005
Question: Shall this Resolution be ADOPTED?
28. 050558 [Supporting Day of Silence]
Supervisors Ammiano, Dufty
Resolution declaring April 13, 2005 as National Day of Silence in the City and County of San Francisco.
- 3/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
29. 050559 [Working Families Credit Day]
Supervisors Ammiano, Dufty
Resolution declaring April 15, 2005 as Working Families Credit Day in the City and County of San Francisco and encouraging all working families in San Francisco that qualify to take advantage of the federal Earned Income Tax Credit.
- 3/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 050560 [Week of the Young Child]
Supervisors Ma, Dufty
Resolution recognizing and declaring April 2-10, 2005 as the "Week of the Young Child" in the City and County of San Francisco.
- 3/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

31. 050561 [Commending Martha Villazon]
Supervisors Maxwell, Dufty
Resolution commending Martha Villazon for her service to the City and County of San Francisco.
- 3/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
32. 050562 [Senate Bill 1020 - Transportation Development Act Funds]
Supervisor McGoldrick
Resolution urging the California State Legislature to support Senate Bill 1020 (Migden) authorizing local jurisdictions to double the current quarter percent sales tax dedicated to local transit and to maintain local streets and roads in rural counties.
- 3/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
33. 050563 [Exploring instituting voter preregistration system for high school students]
Supervisors Mirkarimi, Ma
Resolution calling for the City and County of San Francisco, in conjunction with the San Francisco Unified School District, to investigate the logistics, both administrative and legal, of establishing for the preregistration of high school students to vote in an effort to create universal voter registration.
- 3/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 050546 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 3/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

35. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from March 22, 2005 through March 28, 2005, for reference by President to appropriate committee on April 5, 2005.

050581 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance approving the partial settlement of claims asserted by the City and County of San Francisco in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM, and by Pacific Gas & Electric Company against the City and County of San Francisco in that same proceeding.
(City Attorney)

3/28/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 22, 2005 through March 28, 2005, for reference by President to appropriate committee on April 5, 2005.
None.

050588 [Petitions and Communications]

Petitions and Communications received from March 22, 2005 through March 28, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 5, 2005.

From concerned citizens, submitting opposition to proposed moratorium on all condo conversions until 2007 (File 050494); and support for proposed legislation allowing owners of 2-6 unit buildings to convert into a condominium where the building was owned as a tenancy-in-common on January 20, 2005. (File 050177) (1)

From Clerk of the Board of Supervisors, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-008) Copy: Supervisor Ma (2)

From Department of Building Inspection, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-013) Copy: Supervisor Ma (3)

From Department of Child Support Services, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-009) Copy: Supervisor Ma (4)

From Office of the City Attorney, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-010) Copy: Supervisor Ma (5)

From Fire Department, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-017) Copy: Supervisor Ma (6)

From Police Department, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-018) Copy: Supervisor Ma (7)

From Department of Public Health, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-012) Copy: Supervisor Ma (8)

From Luce, Forward LLP, submitting opposition to appeal of issuance of mitigated negative declaration for property located at 785 Brannan Street. (9)

From Public Utilities Commission, submitting resolution adopting and imposing schedules of sewer service charges to be paid by users effective July 1, 2005 and July 1, 2006 thereafter. (10)

From S.F. Homeless Service Providers Network, submitting invitation to the Mayor, Board of Supervisors and their aides to attend a meeting of the S.F. Homeless Service Providers Network to discuss homeless solutions for San Francisco. (11)

From Office of the Controller, submitting report concerning audit of Florence Crittenton Services and its compliance with the City and County of San Francisco ordinance prohibiting the use of city funds for political activity. (12)

From Garrett Jenkins, demanding the Board of Supervisors and the Sunshine Ordinance Task Force's appointing authority provide relief for the defamatory statements made by Ms. Alexandra Nickliss, Vice Chair of the Sunshine Ordinance Task Force. Copy: Each Supervisor (13)

From Sunshine Ordinance Task Force, regarding the "public comment" segment of the Board and Committee meetings. (14)

From various signators, submitting Form 700 Statement of Economic Interests:

Gabriel Cabrera, Legislative Analyst
Frank Darby Jr., Special Assistant XIII
Harvey Rose, Budget Analyst
Greg Asay, Legislative Assistant to Supervisor Maxwell
Tomas Lee, Legislative Assistant to Supervisor Ammiano
Olivia Scanlon, Legislative Assistant to Supervisor Elsbernd
Debra Newman, Budget Analyst
Jaynry Mak, Legislative Assistant to Supervisor Ma
Ohn Myint, Senior Accountant
Adam Van de Water, Legislative Analyst
Jennifer Matz, Legislative Assistant to Supervisor Alioto-Pier
Fiona Ma, Member of the Board of Supervisors
Sophie Maxwell, Member of the Board of Supervisors
Chris Daly, Member of the Board of Supervisors
Aaron Peskin, Member of the Board of Supervisors
Garrett Jenkins, Member of the Sunshine Ordinance Task Force
Marjorie Williams, Member of the Sunshine Ordinance Task Force
Alexandra Nickliss, Member of the Sunshine Ordinance Task Force
Heather Sterner, Member of the Sunshine Ordinance Task Force
Michael Bell, LAFCO Consultant (15)

From Juvenile Probation Department, concerning the progress and current status in reducing overtime and workers compensation costs at the Juvenile Probation Department. Copy: Budget and Finance Committee (16)

From Human Services Agency, submitting an update on the original plan that was developed by the Department of Human Services regarding the City's Comprehensive Lead Poisoning Prevention Ordinance. Copy: Supervisor Peskin (17)

From Human Services Agency, submitting report entitled "Service Utilization among the Hispanic/Latino Population in San Francisco" dated March 21, 2005. (Reference No. 20050208-001) Copy: Supervisor Sandoval (18)

From the Branch Library Improvement Program, submitting the Bond Accountability Report for the third sale of the 2000 Branch Library Improvement Bonds. (19)

From State Department of Health and Human Services, submitting initial review of the audit report performed by KPMG, Certified Public Accountants, on the City for the period July 1, 2002 through June 30, 2003. Copy: Controller (20)

From Department of Administrative Services, submitting notice that applications to participate in the Annual Joint Fundraising Drive have been reviewed by the Department. File 050369 (21)

From Office of the Treasurer & Tax Collector, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-025) Copy: Supervisor Ma (22)

From concerned citizens, submitting support for the recently approved legislation regarding the humane treatment of all companion dogs. File 041494 (23)

From SFUSD Learning Support Consultants, urging the Board to support Proposition H in regards to funding the "Learning Support Services" in San Francisco's public schools. Copy: Each Supervisor (24)

From Golden Gate Park Concourse Authority, submitting copy of letter sent to the President of the Greater West Portal Neighborhood Association regarding the Concourse Authority's project. (25)

From Transportation for a Livable City, urging the Board to support Assembly Bill 799 that allows San Francisco voters to restore the local Vehicle License Fee to 2% of the vehicle value. Copy: Each Supervisor (26)

From Coalition for San Francisco Neighborhoods, submitting support for the implementation of the authentic SFO Smart Plan by its original author. Copy: Each Supervisor (27)

From James Chaffee, submitting his opinion on the Friends and Foundation of the Public Library. Copy: Each Supervisor (28)

From Department of Public Works, regarding the status of replacing the dead tree on Shrader Street. (Reference No. 20050322-005) Copy: Supervisor Mirkarimi (29)

From State Department of Child Support Services, submitting policy changes in the administration of the Passport Denial Program. (30)

From Jacqueline Badenhausen & Abdo Alkasmy, submitting request to transfer a type 21 liquor license from 308 Randolph Street to 301 Randolph Street for "Brotherhood Market & Deli" located at 301 Randolph Street. (31)

From concerned citizens, submitting opposition to the proposed Redevelopment Plan for the Transbay Redevelopment Project. File 050184, Copy: Each Supervisor (32)

From Michael Aldrich, submitting letter entitled "Structure of San Francisco Cannabis Cooperative" dated March 22, 2005. File 050512 (33)

From Bayview National Black Newspaper, submitting support for full compliance of Proposition P for the Hunters Point Shipyard Project Area. (34)

From Nicole Strand & Martin Olive, submitting paper entitled "Proposed Dispensary Guidelines for Safe Access in San Francisco" dated March 15, 2005. (35)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

APR - 8 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 12, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Elsbernd

1. 050322 [Authorizing extension of the Emergency Interim Towing Services Agreement]

Mayor

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency to enter into a contract amendment extending the term of the Emergency Interim Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles by and Between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn until July 30, 2005 or until a long-term towing services agreement is executed, whichever occurs first.

(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

2. **050493** **[Grant to respond to bioterrorism, infectious disease outbreaks, and other public health threats and emergencies in hospital settings in San Francisco]**
 Supervisor Ma
 Resolution authorizing the San Francisco Department of Public Health (SFDPH, SFGH, LHH) to accept and expend retroactively a grant in the amount of \$44,747 to San Francisco General Hospital and \$27,960 to Laguna Honda Hospital, in a combined amount of \$72,707, from the California Department of Health Services (CDHS) to prepare for and respond to bioterrorism and other public health emergencies and to enter into agreements for the use of these funds; for the period of September 1, 2003, to August 30, 2005.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi

3. **050348** **[Authorizing the Mayor to add additional terms and conditions to the memorandum of agreement between the City and participants in the City's Annual Joint Fundraising Drive]**
 Mayor, Supervisor Peskin
 Ordinance amending the San Francisco Administrative Code by amending Section 16.93-5, to authorize the Mayor to add additional terms and conditions to the memorandum of agreement between the City and participants in the City's Annual Joint Fundraising Drive.

4/5/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Maxwell

4. 050532 [Appointment - Association of Bay Area Governments Finance Authority]
Resolution appointing Supervisor Ross Mirkarimi, term indefinite, to the Association of Bay Area Governments Finance Authority.
Supervisor Ross Mirkarimi, succeeding Supervisor Barbara Kaufman, resigned, seat 1, must be a member of the Board of Supervisors who in turn can appoint up to two alternates to act in his place in all matters authorized, for an indefinite term.

4/5/2005, CONTINUED. Continued to April 12, 2005

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Alioto-Pier, Mirkarimi, Maxwell

5. 041489 [Regulation of Electioneering Communications]
Supervisors Maxwell, Peskin, McGoldrick, Sandoval, Mirkarimi
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings. (Supervisor Alioto-Pier dissenting in Committee.)

4/5/2005, DIVIDED. Supervisor Daly moved to divide the file.
See File No. 050624

4/5/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Board of Supervisors Sitting as a Committee of the Whole

6. 050624 [Regulation of Electioneering Communications]

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.

4/5/2005, PASSED ON FIRST READING AS AMENDED. 4/5/05 - Board To Sit As A Committee of the Whole

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Elsbernd

7. 050416 [Health Service System Plans]
Ordinance approving the 2005-2006 health, vision and dental plans of the Health Service System, and the rates applicable to those plans.
(Human Resources Department)
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 041720 [Establishing Monthly Contribution Amount]
Resolution establishing monthly contribution amount to Health Service Trust Fund.
(Human Resources Department)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

9. 041767 [Zoning Map Amendment for 2350-19th Avenue]
Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco and changing the use classification of the property located at 2350-19th Avenue, and identified as Assessor's Block No. 2347, Lot No. 004G, from a zoning designation of P (Public) to RH-2 (Residential, House, Two-Family); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 050173 [Policy to Preserve Street Tree Planting Sites]
Supervisor Ma
Resolution adopting a policy to preserve street tree planting sites.

Question: Shall this Resolution be ADOPTED?

11. 050359 [Grant of Federal Funds]**Supervisor Daly**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$266,666 of Low Income Flexible Transportation (LIFT) Funds, for maintenance of the Municipal Railway's #108 Line between San Francisco and Treasure Island, excluding administrative overhead costs.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

12. 050287 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 606-624 Divisadero Street and 1278 Hayes Street]

Hearing of persons interested in or objecting to the decision of the Planning Department, approving a Final Mitigated Negative Declaration (Case No. 2003.0807E) adopted and issued on November 29, 2004, for the proposed construction of two mixed-use buildings on Divisadero Street and one all-residential building on Hayes Street after demolition of an existing 12,000 gross-square-foot (gsf) building at 616 Divisadero Street, currently used as a church (currently a Baptist Church and before that the Harding Theater). The two proposed buildings on Divisadero Street would be identical 9,615 gsf, four-story, mixed-use buildings each with approximately 2,500 gsf of commercial use on portions of the first two levels, and four residential dwelling units on the remainder of the four floors. The proposed building on Hayes Street would be a 30,631 gsf, four-story building with 10 dwelling units on all four levels. The entire proposed project would include 18 dwelling units, 18 off-street parking spaces, and approximately 5,000 gsf of commercial space in three buildings that would each be four stories, approximately 46 feet in height. Off-street parking for all three buildings would be located in the Hayes Street building. The project site at 616 Divisadero Street (Assessor's Block 1202, Lot 002J) is an L-shaped lot with frontages on both Divisadero and Hayes Streets and is approximately 13,285 square feet. The project site is zoned NC-2 (Small-Scale Neighborhood Commercial and is within a 65-A height and bulk district. (Appellant: Arthur D. Levy of Levy, Ram & Olson LLP Attorneys representing Central City Progressives.)

(Appeal filed February 15, 2005; companion measure to Files 050288, 050289, 050290; District 5.)

3/15/2005, CONTINUED. President inquired as to whether or not a member of the public wished to address the Board. Arthur Levy, Attorney for the appellant, agreed to a continuance of these matters. Jim Reuben, Attorney for the project sponsor, agreed to a continuance of these matters.

Continued to April 12, 2005

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

13. 050288 [Finding mitigated negative declaration appeal of 606-624 Divisadero Street/1278 Hayes Street timely]
Motion finding the appeal of the mitigated negative declaration issued on November 29, 2004, for 606-624 Divisadero Street/1278 Hayes Street timely filed.
(Clerk of the Board)

3/15/2005, CONTINUED. Continued to April 12, 2005

Question: Shall this Motion be APPROVED?

14. 050289 [Finding appeal of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street untimely]
Motion finding the appeal of the negative declaration issued on November 29, 2004 for 606-624 Divisadero Street/1278 Hayes Street not timely filed.
(Clerk of the Board)

3/15/2005, CONTINUED. Continued to April 12, 2005

Question: Shall this Motion be APPROVED?

15. 050290 [Preparation of findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street]
Motion directing the Clerk of the Board to prepare findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)

3/15/2005, CONTINUED. Continued to April 12, 2005

Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be adopted.)

16. 050400 [Affirm approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]
Motion affirming Planning Department adoption of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)

3/15/2005, CONTINUED. Continued to April 12, 2005

Question: Shall this Motion be APPROVED?

17. 050401 [Reversing approval of the negative declaration for 606-624 Divisadero Street/1278 Hayes Street]
Motion reversing the Planning Department approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)

3/15/2005, CONTINUED. Continued to April 12, 2005

Question: Shall this Motion be APPROVED?

18. 050402 [Preparation of findings to reverse approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Department's approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board) -

3/15/2005, CONTINUED Continued to April 12, 2005

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M

19. 050087 [Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. No.16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 002J, Assessor's Block 1202. (Appellant: David Tornheim, representing the Central City Progressives.)
(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

2/1/2005, CONTINUED. Continued to February 15, 2005.

2/15/2005, CONTINUED. Continued to March 15, 2005

3/15/2005, CONTINUED. Continued to April 12, 2005

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

20. 050088 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]

Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

2/1/2005, CONTINUED. Continued to February 15, 2005.

2/15/2005, CONTINUED. Continued to March 15, 2005

3/15/2005, CONTINUED. Continued to April 12, 2005

Question: Shall this Motion be APPROVED?

21. 050089 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]
Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street.
(Clerk of the Board)

2/1/2005, CONTINUED. Continued to February 15, 2005.

2/15/2005, CONTINUED. Continued to March 15, 2005.

3/15/2005, CONTINUED. Continued to April 12, 2005.

Question: Shall this Motion be APPROVED?

22. 050090 [Findings - 606-624 Divisadero Street and 1278 Hayes Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting.
(Clerk of the Board)

2/1/2005, CONTINUED. Continued to February 15, 2005.

2/15/2005, CONTINUED. Continued to March 15, 2005.

3/15/2005, CONTINUED. Continued to April 12, 2005.

Question: Shall this Motion be APPROVED?

23. 050091 [Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

2/1/2005, CONTINUED. Continued to February 15, 2005.

2/15/2005, CONTINUED. Continued to March 15, 2005.

3/15/2005, CONTINUED. Continued to April 12, 2005.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

24. 050570 [Public Hearing - Ordinance approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2]
Hearing to consider the possible adoption of an Ordinance approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2 to amend elements of the density, parking, height and bulk restrictions for five (5) sites referred to as Parcel 732-A and 725-C (also known as the Jazz Center Site), Parcel A, Parcel C, Rosa Parks and the Muni Substation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation**Recommendation of the Land Use Committee**

Present: Supervisors Maxwell, McGoldrick

25. 050218 [Seventh Amendment to Redevelopment Plan for the Western Addition Project Area A-2]
Mayor, Supervisor Mirkarimi
Ordinance Approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2 to amend elements of the density, parking, height and bulk restrictions for five (5) sites referred to as Parcel 732-A and 725-C (also known as the Jazz Center Site), Parcel A, Parcel C, Rosa Parks and the Muni Substation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 5:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

26. 050380 [Public Hearing - Appeal of Categorical Exemption for No.1 La Avanzada Street (aka 250 Palo Alto Avenue)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 10, 2005, Case No. 2005.0021E, exempting from environmental review the proposed installation of a new low-power FM antenna for KNGY FM-92.7, four satellite receive-only dishes for KPIX TV-5 and an emergency generator for KBHK TV-44. The project is located at No.1 La Avanzada Street (aka 250 Palo Alto Avenue), on Mount Sutro and is zoned RH-1(D). The individual components are described below.

Low-Power FM Antenna: KNGY is an existing radio station that now broadcasts from the top of a residential building at 1101 Green Street on Russian Hill. The proposed project would relocate KNGY from its current location by allowing the installation of a new low-power FM antenna on Sutro Tower. KNGY currently operates at 3,600 watts of effective radiated power. The new antenna will operate at 510 watts of effective radiated power. The antenna will be approximately 15 feet high by 5 feet wide by 2 feet deep, and will be mounted on the north leg of Sutro Tower at Level 3, approximately 380 feet above ground using an existing set of brackets installed to support a previously approved antenna. No alteration to the existing equipment building at the base of Sutro Tower would be required. (Appellants: Siu Ling Chen for Midtown Terrace Homeowner's Association, Liaison to Sutro Tower and Doris Linnenbach for Twin Peaks Improvement Association, Liaison to Sutro Tower.)

(Filed February 28, 2005; companion measure to Files 050381, 050382, 050383; District 7.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

27. 050381 [Affirming the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]
Motion affirming the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
28. 050382 [Disapproving the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]
Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
29. 050383 [Preparation of findings related to the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

CLOSED SESSION**CONFERENCE WITH CITY ATTORNEY - Existing Litigation****32. 050463 [Closed Session - Existing Litigation, Potential Litigation]****Supervisor Ammiano**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and to consider the possibility of affirmative litigation in light of the status of the bankruptcy matter listed below:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) and (2) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

In Re: PACIFIC GAS AND ELECTRIC COMPANY, Debtor
U. S. Bankruptcy Court, Northern District of California, No. 01-30923 DM
Federal I. D. No. 94-0742640
Date Filed: 4/6/01

3/29/2005, CONTINUED. Continued to April 12, 2005

Action: _____

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 33 through 44

33. 050592 [Supporting non-discrimination in health care services for Transgender people]
Supervisors Dufty, Ammiano
Resolution supporting non-discrimination in health care services for Transgender people, and endorsing AB 1586.
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
34. 050593 [Safety Seat Checkup Week]
Supervisors Ma, Dufty
Resolution declaring April 10, 2005 through April 16, 2005 as "Safety Seat Checkup Week" in the City and County of San Francisco.
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
35. 050594 [Public Safety Telecommunications Week]
Supervisors Ma, Dufty
Resolution recognizing the hard work and dedication of our public safety professionals and declaring April 10, 2005 through April 16, 2005 as "Public Safety Telecommunications Week" in the City and County of San Francisco.
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
36. 050603 [Declaring April 13, 2005 Healthcare for All Children Day]
Supervisor Dufty
Resolution declaring April 13, 2005 Healthcare for All Children Day.
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

37. 050607 [Approving San Francisco Local Hazard Mitigation Plan]
Supervisor Ahoto-Pier
Resolution approving the Association of Bay Area Governments Report "Taming Natural Disasters" as the City and County of San Francisco's Local Hazard Mitigation Plan.
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
38. 050608 [Dance Week in San Francisco]
Supervisor Dufty
Resolution supporting Bay Area Celebrates National Dance Week, and declaring April 22 through May 1, 2005 as Dance Week in San Francisco.
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
39. 050610 [Foster Care Month]
Supervisors Maxwell, Dufty
Resolution recognizing May 2005 as Foster Care Month.
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 050611 [Issuance and sale of multifamily housing revenue bonds by CSCDA for Jackie Robinson Apartments]
Supervisor Maxwell
Resolution authorizing the issuance and sale of multifamily housing revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$17,000,000 for the Jackie Robinson Apartments (as described herein).
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 050612 [Supporting AB799 - Local vehicle license fee for San Francisco]
Supervisors Mirkarimi, Peskin, Ammiano, McGoldrick, Maxwell, Dufty
Resolution urging the California Assembly and Senate and the Governor of California to support Assembly Bill 799 (AB799), introduced by Assemblymember Mark Leno, the "Local vehicle license fee for San Francisco"
- 4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

42. 050613 [Armenian Genocide Commemoration Day]
Supervisors Peskin, Dufty
Resolution declaring April 24, 2005 as Armenian Genocide Commemoration Day in San Francisco.

4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 050565 [Final Map for a 102 Unit Residential Condominium Project - 125 Third Street, Museum Tower Residences]
Motion approving Final Map of Museum Tower Residences Condominium Map, A Residential Condominium Project, being a subdivision of Lot 82 in Assessor's Block No. 3722, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,292; District 6.)

4/4/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

44. 050615 [Transbay Redevelopment Plan - May 10, 2005 Committee of the Whole 2005, at 4:00 p.m.]
Supervisor Peskin
Motion for the Board of Supervisors to convene as a committee of the whole on May 10, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of the Transbay Redevelopment Plan, and related documents and agreements.

4/5/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 29, 2005 to April 4, 2005, for reference by President to appropriate committee on April 12, 2005.

050567 [Settlement of Lawsuit - Tamyra D'Ippolito]

Ordinance authorizing settlement of the lawsuit filed by Tamyra D'Ippolito against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 23, 2001 in San Francisco Superior Court, Case No. 323-130; entitled Tamyra D'Ippolito, et al., v. City and County of San Francisco, et al.
(City Attorney)

4/4/2005, RECEIVED AND ASSIGNED to Rules Committee.

050568 [Settlement of Lawsuit - Bryan Ketron]

Ordinance authorizing settlement of the lawsuit filed by Bryan Ketron against the City and County of San Francisco for \$57,500 and the lawsuit filed by Alisa Vincent against the City and County of San Francisco for \$25,000; the cases have been consolidated under Bryan Ketron v. City and County of San Francisco, et al., Superior Court, Case No. 414-357. The Ketron lawsuit was filed on November 4, 2002 in Superior Court, Case No. 414-357 the Vincent lawsuit was filed on March 21, 2003 in Superior Court, Case No. 418-577.
(City Attorney)

4/4/2005, RECEIVED AND ASSIGNED to Rules Committee.

050582 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance approving settlement of litigation by Pacific Gas and Electric Company against City and County of San Francisco for \$3,000.

4/4/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 29, 2005 to April 4, 2005, for reference by President to appropriate committee on April 12, 2005.

050530 [Accept-Expend Bequest of Harvey V. Berneking Living Trust]

Resolution authorizing the San Francisco Public Library to retroactively accept and expend a gift in the amount of \$100,000 from the HARVEY V. BERNEKING Living Trust for improvements to the Main Library.
(Public Library)

3/30/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050569 [Contract Prop J: Facility Security Services]

Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees.
(Municipal Transportation Agency)

4/5/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050626 [Petitions and Communications]

Petitions and Communications received from March 29, 2005 through April 4, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 12, 2005.

From Office of the Controller, submitting the Annual Financial Report for the fiscal year ending June 30, 2004. (1)

From Public Utilities Commission, responding to inquiry regarding how much the Department spends on postage, courier messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-021) Copy: Supervisor Ma (2)

From Peter Langenstein, submitting request for a type 20 liquor license for "Peloton Services" located at 740 Clementina Street. (3)

From SafetyBeltSafe U.S.A., urging California Counties to declare April 10-16, 2005 as Safety Seat Checkup-Week. Copy: Each Supervisor (4)

From Human Services Agency, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-014) Copy: Supervisor Ma (5)

From SFO, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-005) Copy: Supervisor Ma (6)

From Clerk of the Board, responding to report from the San Francisco Civil Grand Jury regarding compensation issues in the San Francisco Police Department. Copy: Each Supervisor (7)

From Department of Administrative Services, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-004) Copy: Supervisor Ma (8)

From Office of the Assessor-Recorder, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-007) Copy: Supervisor Ma (9)

From Employees' Retirement System, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-024) Copy: Supervisor Ma (10)

From Department of Human Resources, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and the number of printers the Department has. (Reference No. 20050222-019) Copy: Supervisor Ma (11)

From S.F. Museum and Historical Society Advisory Committee, submitting the 2004 Annual Report for the S.F. Museum and Historical Society Advisory Committee. (12)

From Department of Public Health, submitting the 2005 updated surplus property spread sheet for the Department of Public Health. (13)

From the Housing Authority, responding to inquiry on services utilized among the Hispanic/Latino senior population in San Francisco dated March 30, 2005. (Reference No. 20050208-002) (14)

From Department of Public Works, regarding repair/repavement of the rough road surface on Oak Street, between Gough and Franklin Streets. (Reference No. 20050329-002) Copy: Supervisor Mirkarimi (15)

From Reuben and Junius LLP, responding to letter from St. Mary's Park Improvement Club Attorney (dated March 2, 2005) regarding appeal of tentative parcel for 4005 Mission Street. File 050374 (16)

From State Department of Child Support Services, regarding collection and disbursement of child support funds. (17)

From Redevelopment Agency, submitting request for information related to Community Facilities District No. 7. Copy: Each Supervisor (18)

From Reuben & Junius LLP, submitting information contained in his (James Reuben) oral presentation regarding the Transbay Redevelopment Plan and Special Use District from the Board meeting of March 29, 2005. File 050184 (19)

From the Department of Human Services, 001) responding to inquiry on services utilized among the Hispanic/Latino senior population in San Francisco dated March 30, 2005. (Reference No. 20050208-001) Copy: Supervisor Sandoval (20)

From Clerk of the Board, submitting the Budget-hearing schedule for fiscal year 2005-06. (21)

From Sue Hestor, submitting support for appeal of tentative subdivision map for property located at 4001 Mission Street. File 050374, Copy: Each Supervisor (22)

From Supervisor Maxwell, submitting amendments to the Transbay Redevelopment Plan related primarily to affordable housing and economic opportunities, particularly for economically disadvantaged San Francisco residents and businesses. File 050184, Copy: Each Supervisor (23)

From Mary Miles, submitting request for correction of notice and postponement of hearing for the San Francisco Bicycle Plan. Copy: Each Supervisor (24)

From Department of Human Resources, submitting quarterly report on the MEA Management Classification and Compensation Plan and the Tripartite Settlement Quarterly Report. Copy: Each Supervisor (25)

From various signors, submitting annual Form 700 Statement of Economic Interests: (26)

Adrienne Lacau, Assessment Appeals Board Member

Alec Lambie, Assessment Appeals Board Member

Amanda Kahn, Legislative Assistant to Supervisor Dufty

Angela Calvillo, Legislative Aide to Supervisor Ammiano

Betty Chan, Legislative Aide to Supervisor McGoldrick

Carol Silver, Assessment Appeals Board Member

David Owen, Legislative Assistant to Supervisor Peskin

David Wilbur, Assessment Appeals Board Member

Diane Robinson, Assessment Appeals Board Member

Donna Crowder, Assessment Appeals Board Member

Douglas Comstock, Member of the Sunshine Ordinance Task Force

Frances Hsieh, Legislative Assistant to Supervisor Ma

Gordon Huseby, Assessment Appeals Board Member

Hayes Miles, Assessment Appeals Board Member
Jake McGoldrick, Member of the Board of Supervisors
Jake McGoldrick, Member of the Local Agency Formation Commission
John McGary, Assessment Appeals Board Member
Joseph Tham, Assessment Appeals Board Member
Judson True, Legislative Assistant to Supervisor Sandoval
Kathleen Gulbengay, Deputy Clerk of the Board of Supervisors
Louis Arthur, Budget Analyst
Mervin Conlan, Assessment Appeals Board Member
Michela Alioto-Pier, Member of the Board of Supervisors
Pedro Rodriguez, Budget Analyst
Peter Fatooh, Assessment Appeals Board Member
Rachel Redondiez, Legislative Assistant to Supervisor Daly
Richard Knee, Sunshine Ordinance Task Force Member
Richard Lee, Assessment Appeals Board Member
Rob Black, Legislative Assistant to Supervisor Alioto-Pier
Sean Elsbernd, Member of the Board of Supervisors
Sue Cauthen, Member of the Sunshine Ordinance Task Force
Tom Ammiano, Member of the Board of Supervisors
Tom Ammiano, Member of the Local Agency Formation Commission

From Nancy Chin, submitting support for appeal of Categorical Exemption for No. 1 La Avanzada Street (aka 250 Palo Alto Avenue) on Mount Sutro) for the installation of a new low-power FM antenna for KNGY FM-92.7, four satellite receive-only dishes for KPIX TV-5 and an emergency generator for KBHK TV-44. Copy: Each Supervisor (27)

From Ahimsa Sumchai, submitting press release regarding community protests of the Redevelopment Commission's plan to spend \$40 million in bonds to finance shipyard infrastructure. Copy: Each Supervisor (28)

From Redevelopment Agency, regarding the Transbay Redevelopment Plan and the removal of property from the proposed project area. File 50184, Copy: Each Supervisor (29)

From Redevelopment Agency, responding to written objections regarding the Transbay Redevelopment Plan. File 50184, Copy: Each Supervisor (30)

From Jack Walder, submitting opposition to proposed skateboarding Ordinance, and announcing that he will hold the City and County of San Francisco responsible for any injury and punitive damages incurred because of skateboarders. File 041745, Copy: Each Supervisor (31)

From concerned citizens, submitting support for the recently approved legislation regarding the humane treatment of all companion dogs. File 041494 (32)

From Adolph Gasser Inc., commenting on the proposed Redevelopment Plan for the Transbay Redevelopment Project Area. File 50184, Copy: Each Supervisor (33)

From concerned citizens, submitting support for issuance of a conditional waiver to San Francisco Cycling, LLC. File 050435, Copy: Each Supervisor (34)

From Department of Public Works, submitting copy of letter sent to Ralph Grocery Co. requesting cooperation in monitoring and quickly addressing the graffiti on their property at 4175 Mission Street. (Reference No. 20050208-003) Copy: Supervisor Sandoval (35)

From Michael Bassik, submitting his concern with proposed ordinance regarding electioneering communication. Copy: Each Supervisor (36)

From Steven Haynes, submitting opposition to proposed gun ban in the City and County of San Francisco. (37)

From concerned citizens, commenting on proposed legislation regarding the registration of blog sites. Copy: Each Supervisor (38)

From concerned citizens, submitting opposition to proposed moratorium on all condo conversions until 2007 (File 050494); and support for proposed legislation allowing owners of 2-6 unit buildings to convert into a condominium where the building was owned as a tenancy-in-common on January 20, 2005. (File 050177) (39)

From Leanne Edwards, regarding the quality management section of Community Health Services for the Department of Public Health-voter initiated amendment. (40)

From Richard Skaff, commenting on the parking situation in San Francisco. Copy: Each Supervisor (41)

From Richard Ventura, submitting support for Civil Service Reform. (42)

From PG&E, submitting application requesting pre-deployment funds for its advance metering infrastructure project. (43)

From State Department of Fish and Game, submitting notice of various meeting dates to review the previous commercial herring-fishing season and to dialogue about changes for future seasons. (44)

From State Department of Social Services, submitting notice that there will be a major change in county plan instructions for the three-year cycle July 1, 2005 through June 30, 2008. (45)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

April 7, 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance expanding the First Source hiring program to apply to contract amendments	050426	Rules Committee	Supervisor Ammiano	3/15/05	4/15/05
Ordinance amending Planning Code concerning use sizes limitation on North Beach neighborhood Commercial District	050433	Land Use	Supervisor Peskin	3/15/05	4/15/05
Ordinance establishing graffiti violation rewards and clarifying uses of littering and nuisance reward fund monies	050434	Rules Committee	Supervisor Ma	3/15/05	4/15/05
Ordinance giving Landmarks Preservation Board more time to review landmark designations	050437	Land Use	Supervisors Alioto-Pier, Peskin	3/15/05	4/15/05
Ordinance amending Planning Code to clarify Section 311 notification	050456	Land Use	Supervisor McGoldrick	3/15/05	4/15/05
Ordinance increasing height exemption for elevator penthouses from 10 feet to 16 feet	050496	Land Use	Supervisor Alioto-Pier	3/22/05	4/22/05
Charter Amendment authorizing the Board of Supervisors to meet by teleconferencing or other electronic means during state of emergency	050492	Rules Committee	Supervisor Ma	3/22/05	4/22/05
Ordinance amending SF Health Code by establishing a regulating soil boring and well regulations	050547	Land Use Committee	Supervisor Peskin	3/29/05	4/29/05

Ordinance amending Public Works Code to require integration of transit, pedestrian and bicycle improvements as part of the street improvement projects	050591	City Operations and Neighborhood Services Committee	Supervisor Mirkarimi	4/5/05	5/5/05
Ordinance establishing an environmentally preferable purchasing for commodities	050595	City Operations and Neighborhood Services Committee	Supervisor Maxwell	4/5/05	5/5/05
Ordinance amending SF Administrative Code to establish uniform procedures for developing better neighborhoods planning and implementation process	050601	Land Use Committee	Supervisor McGoldrick, Maxwell, Mirkarimi	4/5/05	5/5/05

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

APR 15 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 19, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvr

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chihi, Kelly, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the March 15, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Elsbernd

1. 050416 [Health Service System Plans]
Ordinance approving the 2005-2006 health, vision and dental plans of the Health Service System, and the rates applicable to those plans.
(Human Resources Department)
(Fiscal impact.)

4/12/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Daly, Elsbernd

2. 050414 [Gift - Private]
Supervisors Ma, Dufty
Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift in the amount of \$138,766 from the Avon Foundation, via the San Francisco General Hospital Foundation, for the purchase of technical and logistical services in support of the operation of the mobile mammography facility vehicle, donated to the City in 2004, by the University of California, San Francisco. The mobile mammography facility vehicle provides services to indigent and underserved women in San Francisco.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

3. 050419 [PUC Commercial Paper Issuance]
Resolution approving the substitution of the letter of credit with respect to the San Francisco Public Utilities Commission's Commercial Paper Notes (Water Series) and related matters.
(Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

4. 050328 [Settlement of Lawsuit - Mary Jane Gregory]
Ordinance authorizing settlement of the lawsuit filed by Mary Jane Gregory against the City and County of San Francisco for \$30,000.00; the lawsuit was filed on February 13, 2003 in the San Francisco Superior Court, Case No. 417384; entitled Mary Jane Gregory v. City and County of San Francisco, et al.

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 050418 [Settlement of Lawsuit - James Tucker]
Ordinance authorizing settlement of the lawsuit filed by James Tucker against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 9, 2003 in San Francisco Superior Court, Case No. 424-256; entitled James Tucker, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 050581 [Settlement of Claims - Pacific Gas & Electric Company]
Ordinance approving the partial settlement of claims asserted by the City and County of San Francisco in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM, and by Pacific Gas & Electric Company against the City and County of San Francisco in that same proceeding.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 050389 [Settlement of Claim - Beatrice Mouser]
Resolution approving the settlement of the unlitigated claim filed by Beatrice Mouser against San Francisco for \$125,000; claim was filed on October 21, 2004.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

8. 050583 [Appointment - Immigrant Rights Commission]
Resolution appointing Elahe Enssani, term ending June 6, 2006, and Anthony Chukwuemeka Eke, term ending June 6, 2005, to the Immigrant Rights Commission, residency requirement waived.
Elahe Enssani, succeeding Houston Zheng, seat 9, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2006.

Anthony Chukwuemeka Eke(residency requirement waived), succeeding Jose Ricardo Bondoc, seat 10, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2005.

Question: Shall this Resolution be ADOPTED?

9. 050584 [Appointment - Urban Forestry Council]

Resolution appointing, Larry Costello, Bonnie Fisher, Carolyn Blair, Kelly Quirke, Stephen Griswold, Michael Sullivan, and Jocelyn Cohen, terms ending April 5, 2007, to the Urban Forestry Council.

Larry Costello, succeeding himself, term expiring, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for a two-year term ending April 5, 2007.

Bonnie Fisher, succeeding herself, term expiring, seat 2, must be a representative of the tree management profession, for a two year-term ending April 5, 2007.

Carolyn Blair, succeeding herself, term expiring, seat 3, must be a representative of a non-profit organization involved in urban forestry or other environmentally-related issues, for a two year-term ending April 5, 2007.

Kelly Quirke, succeeding himself, term expiring, seat 4, must be a representative of a non-profit organization involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2007.

Stephen Griswold, succeeding himself, term expiring, seat 5, must be a representative of the Golden Gate National Recreation Area, for a two year-term ending April 5, 2007.

Michael Sullivan, succeeding himself, term expiring, seat 6, must be a representative of the community, for a two year-term ending April 5, 2007.

Jocelyn Cohen, succeeding herself, term expiring, seat 7, must be a representative of the community, for a two-year term ending April 5, 2007.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

10. 041767 [Zoning Map Amendment for 2350-19th Avenue]
Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco and changing the use classification of the property located at 2350-19th Avenue, and identified as Assessor's Block No. 2347, Lot No. 004G, from a zoning designation of P (Public) to RH-2 (Residential, House, Two-Family); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.
(Planning Department)

4/12/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee and Committee of the Whole

Present: Supervisors Maxwell, McGoldrick

11. 050218 [Seventh Amendment to Redevelopment Plan for the Western Addition Project Area A-2]
Mayor, Supervisor Mirkarimi
Ordinance Approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2 to amend elements of the density, parking, height and bulk restrictions for five (5) sites referred to as Parcel 732-A and 725-C (also known as the Jazz Center Site), Parcel A, Parcel C, Rosa Parks and the Muni Substation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

4/12/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Committee of the Whole

12. 050624 [Regulation of Electioneering Communications]
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.
- 4/5/2005, RECEIVED AND ASSIGNED to Board of Supervisors. 4/7/05 - Referred to the Ethics Commission for review and comment
4/5/2005, PASSED ON FIRST READING AS AMENDED. 4/5/05 - Board To Sit As A Committee of the Whole
4/12/2005, CONTINUED. The President inquired as to whether or not a member of the public wished to address the Board. There were none.
The President declared the public hearing closed.
Continued to April 19, 2005
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS**Recommendation of the Budget and Finance Subcommittee**

Present: Supervisors Ammiano, Daly, Elsbernd

13. 050369 [2005 Annual Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2005 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.
- Question: Shall this Resolution be ADOPTED?**

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

14. 050495 [Grant of Regional Funds]
Supervisor Peskin
Resolution authorizing the Municipal Transportation Agency to accept and expend \$4,290,000 of Regional Measure 2 funds for Municipal Railway Capital Project.
- Question: Shall this Resolution be ADOPTED?**

SPECIAL ORDER 3:00 P.M**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

15. 050287 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 606-624 Divisadero Street and 1278 Hayes Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department, approving a Final Mitigated Negative Declaration (Case No. 2003.0807E) adopted and issued on November 29, 2004, for the proposed construction of two mixed-use buildings on Divisadero Street and one all-residential building on Hayes Street after demolition of an existing 12,000 gross-square-foot (gsf) building at 616 Divisadero Street, currently used as a church (currently a Baptist Church and before that the Harding Theater). The two proposed buildings on Divisadero Street would be identical 9,615 gsf, four-story, mixed-use buildings each with approximately 2,500 gsf of commercial use on portions of the first two levels, and four residential dwelling units on the remainder of the four floors. The proposed building on Hayes Street would be a 30,631 gsf, four-story building with 10 dwelling units on all four levels. The entire proposed project would include 18 dwelling units, 18 off-street parking spaces, and approximately 5,000 gsf of commercial space in three buildings that would each be four stories, approximately 46 feet in height. Off-street parking for all three buildings would be located in the Hayes Street building. The project site at 616 Divisadero Street (Assessor's Block 1202, Lot 002J) is an L-shaped lot with frontages on both Divisadero and Hayes Streets and is approximately 13,285 square feet. The project site is zoned NC-2 (Small-Scale Neighborhood Commercial and is within a 65-A height and bulk district. (Appellant: Arthur D. Levy of Levy, Ram & Olson LLP Attorneys representing Central City Progressives.)

(Appeal filed February 15, 2005; companion measure to Files 050288, 050289, 050290; District 5.)

3/15/2005, CONTINUED. Continued to April 12, 2005

4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

16. 050288 **[Finding mitigated negative declaration appeal of 606-624 Divisadero Street/1278 Hayes Street timely]**
Motion finding the appeal of the mitigated negative declaration issued on November 29, 2004, for 606-624 Divisadero Street/1278 Hayes Street timely filed.
(Clerk of the Board)
- 3/15/2005, CONTINUED. Continued to April 12, 2005
4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.
Question: Shall this Motion be APPROVED?
17. 050289 **[Finding appeal of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street untimely]**
Motion finding the appeal of the negative declaration issued on November 29, 2004 for 606-624 Divisadero Street/1278 Hayes Street not timely filed.
(Clerk of the Board)
- 3/15/2005, CONTINUED. Continued to April 12, 2005
4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.
Question: Shall this Motion be APPROVED?
18. 050290 **[Preparation of findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street]**
Motion directing the Clerk of the Board to prepare findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)
- 3/15/2005, CONTINUED. Continued to April 12, 2005
4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.
Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be adopted.)

19. 050400 **[Affirm approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]**
Motion affirming Planning Department adoption of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)
- 3/15/2005, CONTINUED. Continued to April 12, 2005
4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.
Question: Shall this Motion be APPROVED?
20. 050401 **[Reversing approval of the negative declaration for 606-624 Divisadero Street/1278 Hayes Street]**
Motion reversing the Planning Department approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)
- 3/15/2005, CONTINUED. Continued to April 12, 2005
4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.
Question: Shall this Motion be APPROVED?

21. 050402 [Preparation of findings to reverse approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Department's approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street.
(Clerk of the Board)

3/15/2005, CONTINUED. Continued to April 12, 2005

4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.

Question: Shall this Motion be APPROVED?

22. 050087 [Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. No.16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 002J, Assessor's Block 1202. (Appellant: David Tornheim, representing the Central City Progressives.)
(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

2/1/2005, CONTINUED. Continued to February 15, 2005.

2/15/2005, CONTINUED. Continued to March 15, 2005

3/15/2005, CONTINUED. Continued to April 12, 2005

4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

23. 050091 [Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

2/1/2005, CONTINUED. Continued to February 15, 2005.

2/15/2005, CONTINUED. Continued to March 15, 2005

3/15/2005, CONTINUED. Continued to April 12, 2005

4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.

Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be adopted.)

24. 050088 **[Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]**
Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
2/15/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 12, 2005
4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.
Question: Shall this Motion be APPROVED?
25. 050089 **[Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
2/15/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 12, 2005
4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.
Question: Shall this Motion be APPROVED?
26. 050090 **[Findings - 606-624 Divisadero Street and 1278 Hayes Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting.
(Clerk of the Board)
- 2/1/2005, CONTINUED. Continued to February 15, 2005.
2/15/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 12, 2005
4/12/2005, CONTINUED. Continued to April 19, 2005 at 3:00 p.m.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.**

27. 050481 [Public Hearing - Appeal of Certification of Determination of Exemption/Exclusion from Environmental Review for San Francisco Bicycle Plan Policy Framework]
Hearing of persons interested in or objecting to the decision of the Planning Department dated January 11, 2005, Case No. 2004.0420E, exempting from environmental review the proposed project regarding revision of the 1997 San Francisco Bicycle Plan. There are two major components to the San Francisco Bicycle Plan update – the Policy Framework and the Network Improvement Document. The San Francisco Bicycle Plan Policy Framework is a public policy document that provides an overview of the policies and components of a successful bicycle program. The San Francisco Bicycle Framework presents changes to the 1997 Plan by emphasizing updates to: bicycle policy and chapter topics presented in the 1997 Plan; incorporation of new design guidelines for a wide range of bicycle facilities; and a "blueprint" for potential expansion and refinement of the existing Bicycle Network. The San Francisco Bicycle Plan Policy Framework has seven goals and objectives: (1) increase safe bicycle use, (2) refine and expand the existing bicycle route network, (3) ensure plentiful, high-quality bicycle parking to complement the bicycle route network, (4) adopt bicycle-friendly practices and policies, (5) promote safe bicycling, (6) increase enforcement of bicycle-related violations, and (7) prioritize and increase bicycle funding.

The second component of the overall Bicycle Plan is the Network Improvement Document, which identifies potential projects to improve bicycle transportation throughout San Francisco. The Network Improvement Document will be reviewed under a separate environmental review. (Appellants: Mary Miles and Coalition for Adequate Review [CFAR] and Ninety-nine Percent) (Filed March 15, 2005; companion measure to Files 050482, 050483, 050384.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

28. 050482 [Affirming the general rule exclusion issued for the Bicycle Plan: Policy Framework]
Motion affirming the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

29. 050483 [Disapproving the general rule exclusion issued for the Bicycle Plan: Policy Framework]
Motion disapproving the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
30. 050484 [Preparation of findings related to the general rule exclusion issued for the Bicycle Plan: Policy Framework]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Rules Committee at a Regular Meeting on Wednesday, April 13, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, April 19, 2005.

31. 041625 [Confirming appointment of Rich Peterson to the San Francisco Redevelopment Agency] Mayor
Resolution confirming the appointment of Rich Peterson, term ending September 3, 2008, to the San Francisco Redevelopment Agency.
- Question: Shall this Resolution be ADOPTED?
32. 050589 [Confirming appointment of Francee Covington to the San Francisco Redevelopment Agency] Mayor
Resolution confirming the appointment of Francee Covington, term ending September 3, 2008, to the San Francisco Redevelopment Agency.
- Question: Shall this Resolution be ADOPTED?
33. 050590 [Confirming the appointment of London Breed to the San Francisco Redevelopment Agency] Mayor
Resolution confirming the appointment of London Breed, term ending September 3, 2007, to the San Francisco Redevelopment Agency.
- Question: Shall this Resolution be ADOPTED?

The following items were considered by the Budget and Finance Committee at a Regular Meeting on Thursday, April 14, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, April 19, 2005.

34. 050598 [Accept-Expend Federal Funding - Community Development Block Grant]

Mayor

Resolution approving the 2005 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2005 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of \$31,336,306 which include indirect costs of \$120,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs.

Question: Shall this Resolution be ADOPTED?

35. 050600 [Federal Funding - Emergency Shelter Grants Program]

Mayor

Resolution approving the 2005 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept and expend a \$923,756 entitlement grant under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development.

Question: Shall this Resolution be ADOPTED?

36. 050599 [Accept-Expend Federal Funding - HOME Program]

Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend the City's 2005 HOME Program entitlement grant from the U.S. Department of Housing and Urban Development (HUD) and Program Income of \$10,804,442 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2005 Action Plan for San Francisco's Consolidated Plan.

Question: Shall this Resolution be ADOPTED?

37. 050609 [Rejecting Sewer Rate Increase]

Supervisors McGoldrick, Mirkarimi

Resolution rejecting the Public Utilities Commission's most recent sewer rate increase.

Question: Shall this Resolution be ADOPTED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

40. 050641 [Legislative Analyst Request - Count of Homeless People]

Supervisor Daly

Motion requesting the Legislative Analyst to research and make recommendations on methodologies and standards for conducting the count of homeless people, with attention on interaction with government institutions and the overall quality of life of homeless people in San Francisco.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 41 through 56

41. 050390 [Opposing H.R. 298]

Supervisors Peskin, Ammiano, Daly, Elsbernd

Resolution opposing H.R. 298, a bill sponsored by Rep. Richard Pombo to require the Secretary of the Interior to provide public access to the Farallon National Wildlife Refuge.

3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/15/2005, CONTINUED. Continued to April 19, 2005

Supervisor Elsbernd requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

42. 050629 [Supporting Mayor's Energy Conservation Account]
Supervisors Mirkarimi, Ammiano
Resolution in support of sustaining the Mayor's Energy Conservation Account (MECA) fund and directing the SFPUC to implement funding for solar and efficiency projects.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
43. 050630 [Settlement of San Francisco's potential claims against companies for images stenciled on city sidewalks for reimbursement to city in the amount of \$7,000.00, and a \$96,000 donation to the San Francisco Clean City Coalition]
Supervisors Duffy, Alioto-Pier, Ma, Maxwell
Resolution approving settlement of San Francisco's potential claims for fines, penalties and damages against NBC Universal, Inc., the USA Network, and related entities (the "Companies") arising out of the stenciling of marketing images on City sidewalks. Under the settlement, the companies: (1) shall pay \$7,000.00 to San Francisco to reimburse the City for its out-of-pocket costs arising out of the incident; (2) shall make a \$96,000.00 donation to the San Francisco Clean City Coalition; and (3) agree to make best efforts to prevent the perpetration of similar acts in the future. In exchange, San Francisco shall fully release the Companies from potential claims arising out of the stencils.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 050631 [California Million Solar Roofs Initiative]
Supervisors Ammiano, Daly, Mirkarimi
Resolution supporting the California Million Solar Roofs initiative (SB 1).
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 050632 [Honoring the Legacy of Pope John Paul II]
Supervisors Alioto-Pier, Elsbernd
Resolution honoring the legacy of Pope John Paul II and the profound impact he had on all citizens of the world.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 050647 [Legislative bill number SB 521: Transit Village Plans]
Supervisor Sandoval
Resolution urging the California State Legislature to approve SB 521: Transit Village Plans, which makes it easier to create redevelopment areas near transit stations and thus creates incentives to build housing near transit.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

47. 050648 **[Small Business Week]**
Supervisors Ma, Dufty, Elsbernd, Maxwell, Mirkarimi
Resolution declaring April 25-29, 2005, as "Small Business Week" in the City and County of San Francisco.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
48. 050649 **[Earthquake Preparedness Month]**
Supervisors Ma, Dufty
Resolution declaring April 2005 to be "Earthquake Preparedness Month" in the City and County of San Francisco.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
49. 050650 **[Child Abuse Prevention Month]**
Supervisors Ma, Dufty
Resolution recognizing April 2005 as "Child Abuse Prevention Month" in the City and County of San Francisco.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
50. 050651 **[Support the Efforts of the Exploratorium in Obtaining Increased Funding]**
Supervisor Alioto-Pier
Resolution supporting the Exploratorium in their efforts to continue and expand its essential work in educating the children of the San Francisco and the Bay Area.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
51. 050652 **[Child Development Centers Funding]**
Supervisor Peskin
Resolution urging the State of California to increase reimbursement rates for child development centers contracting with the California Department of Education through Title V.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
52. 050653 **[Parking Regulations]**
Supervisor Peskin
Resolution urging the Department of Parking and Traffic to re-install a metered parking space at 933 Grant Avenue in Chinatown.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

53. 050654 [Supporting State Legislation AB 1296, San Francisco Bay Water Trail Act]
Supervisors Peskin, Maxwell, Daly
Resolution expressing support for AB 1296, the San Francisco Bay Water Trail Act, and urging the California State Legislature and Governor to support this measure.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
54. 050655 [Condemning Homophobia and Misogyny]
Supervisor Peskin
Resolution condemning homophobic and misogynistic public remarks by the Executive Director and members of the Residential Builders Association of San Francisco.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
55. 050627 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Duffy
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
56. 050628 [Extending Time for Negotiations - Local 856 for Supervising Nurses and Local 790 for Staff Nurses/ Per Diem Nurses]
Supervisor Elsbernd
Motion extending time for negotiations pursuant to Charter Section 11.100
- 4/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

57. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 5, 2005 to April 11, 2005, for reference by President to appropriate committee on April 19, 2005.

050571 [Settlement of Lawsuit - Teri Smith]

Ordinance authorizing settlement of the lawsuit filed by Teri Smith against the City and County of San Francisco for an agreement to spend an amount not to exceed \$1,100,000.00 to make certain disability access improvements at the San Francisco Zoo; the lawsuit was filed on June 19, 2002 in US District Court (Case No C02-2936 PJH).

4/11/2005, RECEIVED AND ASSIGNED to Rules Committee.

050616 [Water Rates]

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco.
(Public Utilities Commission)

4/6/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 5, 2005 to April 11, 2005, for reference by President to appropriate committee on April 19, 2005.

050617 [Airport Concession Lease]

Resolution approving the Boarding Areas "B" and "C" Books and News Stores Lease between DeLaVe, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

4/6/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 050619 [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]
Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of \$20,066,423 from the Federal Aviation Administration: \$6,066,423 (A.I.P 28, Project No. 3-06-0221-28); \$8,250,000 (A.I.P 31, Project No. 3-06-0221-31), and \$5,750,000 (A.I.P 32, Project No. 3-06-0221-32) for Airport standard and security improvements.
(Airport Commission)

4/6/2005 RECEIVED AND ASSIGNED to Budget and Finance Committee.

050669 [Petition and Communications]

Petitions and Communications received from April 5, 2005 through April 11, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 19, 2005.

From Department of Public Health, submitting an updated list of all property under jurisdiction and/or control of the Department. Copy: Each Supervisor (1)

From San Francisco Public Utilities Commission, submitting Barbara Hale, as their selection to be appointed to the Community Choice Aggregation Citizen's Advisory Taskforce. (2)

From Office of the Treasurer/Tax Collector, submitting the Cash Difference Fund/Details of Overage and Shortages report for the period ending March 31, 2005. (3)

From Clerk of the Board of Supervisors, submitting memo to San Francisco Redevelopment Agency regarding Board of Supervisor's Action on the Transbay Redevelopment Plan. File 050184. Copy: Each Supervisor (4)

From Office of the Treasurer, submitting report of the City's investment portfolio as of March 31, 2005. (5)

From Leanne Edwards, seeking the Board of Supervisor's support for a voter-initiated amendment that the Office of Patient's Rights become the entry point for the grievance process of the CCSF CMHS. (6)

From Siu Ling Chen, submitting Appeal of Categorical Exemption for Sutro Tower Antennas, Satellite Dishes and Emergency Generator, 1 La Avanzada Street (AKA 250 Palo Alto Avenue). (7)

From Twin Peaks Improvement Association, submitting support for the Appeal of Categorical Exemption for Sutro Tower Antennas, Satellite Dishes and Emergency Generator, 1 La Avanzada Street (AKA 250 Palo Alto Avenue). (8)

From Planning Department, submitting response to Appeal of the Categorical Exemption for the Sutro Tower Antennas, Satellite Dishes and Emergency Generator, 1 La Avanzada Street (AKA 250 Palo Alto Avenue). Copy: Each Supervisor (9)

From Supervisor Daly, submitting support for Natalie Bonnewit's appointment to the Treasure Island Development Authority Citizens Advisory Board. Copy: Supervisors Maxwell, McGoldrick, and Sandoval (10)

From San Francisco Tenants Network, expressing opposition to amending the Condominium Ordinance. (11)

From Supervisor Alioto-Pier, requesting to be excused from the Board of Supervisors meeting on April 19, 2005. Copy: Each Supervisor (12)

From Concerned Citizens, submitting opposition to proposed legislation regarding the registration of blog sites. File 041489, received 6 Letters. Copy: Each Supervisor (13)

From Supervisor Duffy, submitting Thank You to Supervisors for supporting the legislation to take 100% owner-occupied TICS out of the condo lottery. File 050177. Copy: Each Supervisor (14)

From concerned citizens, expressing support for proposed Tenancies-in-common legislation. File 050177, received 3 letters. Copy: Each Supervisor (15)

From Florence Fung, requesting a new "No Skate Board" sign at 910-970 block of Ulloa Street. Copy: Supervisor Elsbernd (16)

From Supervisor Mirkarimi, advising that the City Attorney has ruled that he be recused from voting on Tenancies-in-common legislation. File 050177. Copy: Each Supervisor (17)

From Brian Royner, expressing concern over the shut down of King Street for a street concert. Copy: Each Supervisor (18)

From concerned citizen, submitting support for the passing of the humane treatment of all companion dogs legislation. File 041494. (19)

From Ahimsa Sumchai, submitting press release "City Wide protest \$40 Million Bonds, New Taxes for Shipyard Construction!". Copy: Each Supervisor (20)

From Human Services Agency, submitting a copy of the Priority Panel Applicant Information Form and the Priority Panel Impartiality/Conflict of Interest form for the 2005 HUD McKinney Priority Panel. Copy: Each Supervisor (21)

From Molly Dunham, expressing concern over the location of the community recycling center along Market Street. Copy: Each Supervisor (22)

From Allen Ross Warmington, seeking assistance in locating his grandfather. Copy: Supervisor Peskin (23)

From City Administrator, following-up on request that property records be updated via the City's web tool on the Intranet to comply with Ordinance #227-02. Copy: Each Supervisor (24)

From the Archdiocese of San Francisco, commenting on the lack of response by City officials to the invitation of the Archbishop of San Francisco to honor and remember Pope John Paul II on April 5, 2005. Copies: Each Supervisor (25)

From Office of Contract Administration, submitting the Non-Profit Contracting Task Force Progress Report Supplemental to October 13, 2004 Report. Copies: Supervisor Maxwell (26)

From Peter Schumacher, submitting opposition to the proposed grocery bag tax, stating that the 17-cent grocery bag tax ignores litter law enforcement in favor of taxation on non-littering citizens, etc. (27)

From Residential Rent Stabilization and Arbitration Board, submitting the Annual Report on Eviction Notices for period from March 2004 through February 2005. (28)

From Office of the Controller, submitting report concerning the Statement of Cash and Investments of the Office of the Treasurer and Tax Collector (Treasurer) as of December 31, 2004. (29)

From concerned citizens, regarding pole litter and mini billboards throughout the City on public streets and sidewalks. Received 9 letters. Copies: Each Supervisor (30)

From San Francisco Arts Commission, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and how many printers the Department has. (Reference No. 20050222-006) Copy: Supervisor Ma (31)

From Employee's Retirement System, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and how many printers the Department has. (Reference No. 20050222-024) Copy Supervisor Ma (32)

From Supervisor Daly, urging Board Members to reject the Mayor's conditional waiver of \$245,872 in Police costs for San Francisco Cycling, LLC. File No. 050435, Copy: Each Supervisor (33)

From Department of Parking & Traffic, responding to inquiry regarding installing an all-way stop control at the intersection of Fulton and Octavia Streets. (Reference No. 20050301-002), Copy: Supervisor Mirkarimi (34)

From Bay Area United Against War, concerning their displeasure with Richmond District Police visit to a community meeting in the Mission District. Copy: Each Supervisor (35)

From Planning Department, submitting Draft Environmental Impact Report Comments and Responses for Rincon Hill Plan, Department File No. 2000.1081E. Copy Each Supervisor (36)

From Jim Jarbor, submitting support for the recently approved legislation, regarding the interim moratorium on medical cannabis dispensaries. File No. 050512 (37)

From Department of Public Works, responding to inquiry requesting a report on the status of the two empty sidewalk squares at 701 Shrader Street. (Reference No. 20050322-004), Copy: Supervisor Mirkarimi (38)

From Department of Public Works, responding to inquiry requesting a report on the status of replacing three empty sidewalk squares in front of Gateway School at 1350 – 7th Avenue. (Reference No. 20050222-003), Copy: Supervisor Mirkarimi (39)

From Department of Public Works, responding to inquiry requesting a report on the status of the repair on the sidewalk squares on the west side on the block of 800 Webster Street. (Reference No. 20050329-001), Copy: Supervisor Mirkarimi (40)

From Airport Commission, responding to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and how many printers the Department has. (Reference No. 20050222-005), Copy: Supervisor Ma (41)

From Planning Department, submitting letter which rescinds its prior determination of Categorical Exemption for 1212 15th Avenue. Copy: Each Supervisor (42)

From Branch Library Improvement Program, submitting 2000 Branch Library Improvement Bond Quarterly Report for the Fourth Quarter 2004, October – December 2004. Copy: Each Supervisor (43)

From GCA Strategies, submitting their response to the Appellants brief submitted to the Board of Supervisors regarding the Appeal of Sutro Tower Cat Ex. File No. 050380. Copy: Each Supervisor (44)

From Greenwood Earth Alliance, urging the City not to buy any redwood or wood from any other endangered forest, FSC-certified or not stating that there is no guarantee that FSC-certified products come from sustainably-managed forests. Copy: Each Supervisor (45)

From Police Department, responding to request for disclosure of any security breaches at the following locations: Golden Gate Bridge, Bay Bridge, and Port of San Francisco. File No. 050454, Copy: City Operations & Neighborhood Services Committee (46)

From Stacey Selinger, concerning the appraisal and sale of parcels of Bay front land acquired by Shipyard Holdings LLC. Copy: Each Supervisor (47)

From Arts Commission, submitting revised response to inquiry regarding how much the Department spends on postage, courier/messenger services, off-site document storage and how many printers the Department has. (Reference No. 20050222-006), Copy: Supervisor Ma (48)

From Johannes Stahl, expressing concern over bicyclists utilizing the sidewalk, causing a hazard to pedestrians. Copy: Each Supervisor (49)

From Mark Berry, concerning his displeasure with the noise from helicopters and small airplanes flying over his neighborhood. File No. 041594, Copy: Each Supervisor (50)

From Office of the City Attorney, responding to request from Clerk's Office regarding Appeal of Categorical Exemption for 1400-1402 Cole Street. (51)

From Dina Boyer, urging the Board to intervene to prevent Muni's proposed layoffs and fare raises. Copy: Each Supervisor (52)

From Ahimsa Sumchai, submitting copy of correspondence to SF Bayview Newspaper, regarding the Fair Political Practices Commission's investigation into shipyard development. Copy: Each Supervisor (53)

From Patti Chern, seeking bone marrow donors for a West Tisbury police office who needs a transplant. (54)

From Clifford S. McBride, regarding vehicle vandalism and air quality in his neighborhood. Copy: Supervisor Daly (55)

From Rob Anderson, submitting support for the San Francisco Bicycle Plan to be subject to CEQA review. Copy: Each Supervisor (56)

From Public Utilities Commission, regarding water rates for retail service within and outside of the City and county of San Francisco. Copy: Each Supervisor (57)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

April 14, 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance increasing height exemption for elevator penthouses from 10 feet to 16 feet	050496	Land Use	Supervisor Alioto-Pier	3/22/05	4/22/05
Charter Amendment authorizing the Board of Supervisors to meet by teleconferencing or other electronic means during state of emergency	050492	Rules Committee	Supervisor Ma	3/22/05	4/22/05
Ordinance amending SF Health Code by establishing a regulating soil boring and well regulations	050547	Land Use Committee	Supervisor Peskin	3/29/05	4/29/05
Ordinance amending Public Works Code to require integration of transit, pedestrian and bicycle improvements as part of the street improvement projects	050591	City Operations and Neighborhood Services Committee	Supervisor Mirkarimi	4/5/05	5/5/05
Ordinance establishing an environmentally preferable purchasing for commodities	050595	City Operations and Neighborhood Services Committee	Supervisor Maxwell	4/5/05	5/5/05
Ordinance amending SF Administrative Code to establish uniform procedures for developing better neighborhoods planning and implementation process	050601	Land Use Committee	Supervisor McGoldrick, Maxwell, Mirkarimi	4/5/05	5/5/05
Ordinance amending SF Park Code to increase SF Small Craft Harbor	050602	Budget and Finance Committee	Supervisor Alioto-Pier	4/5/05	5/5/05
Ordinance amending Zoning Map Section for properties at the intersection of 18 th and Sanchez Streets	050633	Land Use Committee	Supervisor Dufty	4/12/05	5/12/05

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT

APR 22 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor

Tuesday, April 26, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday / Bi-Monthly

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the March 22, 2005 and March 29, 2005 Board Meeting Minutes

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 24

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Duffy, Ma

1. 050415 [Establishing a tour bus restriction on Baker Street]
Ordinance amending the San Francisco Police Code by adding Section 1183.35 to establish a tour bus restriction on Baker Street between Richardson Avenue and Union Street.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. **050420** **[Establishing a tour bus restriction on Broderick Street]**
Ordinance amending the San Francisco Police Code by adding Section 1183.36 to establish a tour bus restriction on Broderick Street between Richardson Avenue and Union Street.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
3. **050421** **[Establishing a tour bus restriction on Chestnut Street]**
Ordinance amending the San Francisco Police Code by adding Section 1183.32 to establish a tour bus restriction on Chestnut Street between Lyon Street and Richardson Avenue.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
4. **050478** **[Establishing a tour bus restriction on Greenwich Street]**
Ordinance amending the San Francisco Police Code by adding Section 1183.33 to establish a tour bus restriction on Greenwich Street between Lyon and Divisadero Streets.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
5. **050479** **[Establishing a tour bus restriction on Filbert Street]**
Ordinance amending the San Francisco Police Code by adding Section 1183.34 to establish a tour bus restriction on Filbert Street between Lyon and Divisadero Streets.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
6. **050525** **[Establishing commercial vehicle weight restrictions on Broderick Street]**
Ordinance amending the San Francisco Traffic Code by adding Section 28.5.58 to establish a commercial weight restriction on Broderick Street between Richardson Avenue and Union Street.
(Parking and Traffic Department)
(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 050526 [Extending commercial vehicle weight restrictions on Chestnut Street]
Ordinance amending the San Francisco Traffic Code by amending Section 28.5.9 to extend the commercial vehicle weight restriction on Chestnut Street to include Chestnut Street between Lyon and Broderick Streets.
(Parking and Traffic Department)
(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 050527 [Establishing commercial vehicle weight restrictions on Greenwich Street]
Ordinance amending the San Francisco Traffic Code by adding Section 28.5.57 to establish a commercial vehicle weight restriction on Greenwich Street between Divisadero and Lyon Streets.
(Parking and Traffic Department)
(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 050528 [Establishing commercial vehicle weight restrictions on Filbert Street]
Ordinance amending the San Francisco Traffic Code by adding Section 28.5.59 to establish a commercial vehicle weight restriction on Filbert Street between Divisadero and Lyon Streets.
(Parking and Traffic Department)
(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 050529 [Extending commercial vehicle weight restrictions on Baker Street]
Ordinance amending the San Francisco Traffic Code by amending Section 28.5.3, establishing a commercial vehicle weight restriction on Baker Street, by extending the restriction to include Baker Street between Union Street and Marina Boulevard.
(Parking and Traffic Department)
(DPT Order No. 2974.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 050378 [Traffic Regulations - Bike Lanes]
Resolution enacting bike lanes on Fulton Street.

BIKE LANES - ESTABLISH
Fulton Street, both directions, from Baker Street to Octavia Street.
(Municipal Transportation Agency)
(See hard copy for environmental review determination.)

Question: Shall this Resolution be ADOPTED?

12. 050379 [Traffic Regulations]

Resolution enacting bike lanes and other traffic regulations on Oakdale Avenue.

BIKE LANES - ESTABLISH

Oakdale Avenue, both directions, from Bayshore Boulevard to Selby Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Oakdale Avenue, northside, from Selby Street to 175' easterly.

Oakdale Avenue, southside, from Patterson Street to 100' east of Loomis Street.

LEFT LANE MUST TURN LEFT - ESTABLISH

Oakdale Avenue, eastbound, approaching Selby Street.

(Municipal Transportation Agency)

(See hard copy for environmental review determination.)

Question: Shall this Resolution be ADOPTED?

13. 050403 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "V" (2-HOUR TIME LIMIT, 8 AM - 6 PM,
MONDAY THROUGH FRIDAY) - ESTABLISH
Eastwood Drive, both sides, between Miramar Avenue and San Ramon Way (Unit block).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Putman Street, east side, between Crescent and Tompkins Avenues.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Stevenson Street, south side, between 2nd and New Montgomery Streets.

ONE HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY -
ESTABLISH
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Alabama Street, west side, from 15th Street to 100 feet northerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Key Avenue, both sides, south of the south property line of 938 Key Avenue and along southern
terminus.

NO PARKING ANYTIME - ESTABLISH
Prentiss Street, east side, from Chapman Street to 100 feet northerly.

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Castro Street, east side, between 25th and Jersey Streets (6-month trial).

PARKING METER AREA NO. 1, 30-MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH
Washington Street, both sides, from The Embarcadero to Davis Street.

PARKING METER AREA NO. 1, 30 MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH
Drumm Street, from Washington to Clay Streets.

PARKING METER AREA NO. 1, 30 MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH
Clay Street, from Drumm Street to Davis Street.

TOW-AWAY, NO PARKING ANYTIME - EXTENSION
1300 block of DeHaro Street, west side of median wall, from the projection of the northerly boundary
line of #1351-1355 DeHaro Street to 4 feet northerly (4-foot extension).

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 8 PM, MONDAY
THROUGH SATURDAY) - ESTABLISH
Shotwell Street, both sides, between 25th and 26th Streets (1100 block) (increases the time limit from
1-Hour to 2 Hours).

TOW-AWAY NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY, TAXI ZONE, ALL
OTHER TIMES - RESCIND
NO PARKING, TAXI ZONE - ESTABLISH
4th Street, west side, from Minna Street to 150 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Harriet Street, south side, from Brannan Street property line to 30 feet easterly.

TOW AWAY NO STOPPING, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Fremont Street, east side, from 219 feet to 349 feet north of Howard Street.

NO PARKING ANYTIME - ESTABLISH

Somerset Street, west side, from Campbell Avenue to 100-feet southerly.

TOW-AWAY, NO STOPPING ANYTIME, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Turk Street, north side, between Van Ness Avenue and Franklin Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Missouri Street, west side, from 80 feet to 130 feet north of 23rd Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

O'Farrell Street, south side, from 58 feet west of Van Ness Avenue to 100 feet westerly (to establish a 100-foot bus zone bulb with 12-foot taper at the west end).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

23rd Street, both sides, between Chattanooga and Church Streets (3700 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Laguna Honda Boulevard, west side, between the two driveways of 300 Laguna Honda Boulevard (a 12.5-foot zone, accommodating three unmetered motorcycle parking spaces); and 1067 Broadway, south side, from 2 feet to 5 feet west of driveway (3-foot space, accommodating one motorcycle parking space).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

University Street, east side, from Olmstead Street to north terminus (legislates existing conditions); Vermont Street, east side, between 23rd Street and 280 feet south of 24th Street (legislates existing conditions);

Florida Street, east side, from 15th Street to Treat Avenue (legislates existing conditions); and Egbert Street, north side, from Newhall Street to 485 feet easterly (legislates existing conditions).

TOW-AWAY, NO STOPPING ANYTIME, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

California Street, north side, from 55 feet west of Van Ness Avenue to 89 feet east of Franklin Street.

NO PARKING ANYTIME - ESTABLISH

Quesada Avenue, south side, from Newhall Street to 20 feet easterly.

GREEN ZONE, 6 PM TO 11 PM, DAILY- ESTABLISH

8th Street, east side, from 32 feet to 98 feet north of Howard Street, at parking meters #157, 155, and 153.

(Parking and Traffic Department)

(3/7/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2961.)

Question: Shall this Resolution be ADOPTED?

14. 050404 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - RESCIND

Turk Street, westbound, at Gough Street (removing the option to turn left from the middle lane but still requiring the left lane to turn left).

BUSES AND TAXIS ONLY AFTER CANDLESTICK PARK EVENTS - ESTABLISH

Ingerson Avenue, westbound, between Hawes and 3rd Streets.

NO LEFT TURN - ESTABLISH

Lake Merced Boulevard, northbound, at Skyline Boulevard (north leg only).

LEFT LANE MUST TURN LEFT - ESTABLISH

Holloway Avenue, eastbound and westbound, at Junipero Serra Boulevard.

MULTIPLE LEFT TURN LANES - RESCIND

LEFT LANE MUST TURN LEFT - RESCIND

Howard Street, westbound, at 6th Street.

LEFT LANE MUST TURN LEFT EXCEPT BUSES AND TAXIS - ESTABLISH

4th Street, southbound, at Bryant Street.

DIAMOND LANE: LEFT LANE BUSES, TAXIS AND LEFT TURNS ONLY - RESCIND

4th Street, southbound, between Bryant and Townsend Street.

BUSES AND TAXIS ONLY - ESTABLISH

4th Street, southbound, second lane from left at Brannan Street; and

4th Street, southbound, second lane from left at Townsend Street.

LEFT LANE MUST TURN LEFT, RIGHT LANE MUST TURN RIGHT - ESTABLISH

10th Avenue, northbound, approaching Fulton Street.

NO TURN ON RED – RESCIND

Shrader Street at Fell Street.

(Parking and Traffic Department)

(3/7/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2961.)

Question: Shall this Resolution be ADOPTED?

15. 050405 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Westgate Drive and Darien Way, installing STOP signs at this intersection, making this intersection an All-Way STOP;

Newhall Street and Quesada Avenue, stopping Newhall Street at Quesada Avenue, making this intersection an All-Way STOP;

Wisconsin and 22nd Streets, stopping Wisconsin at 22nd Street making this intersection an All-Way STOP;

Bacon and Hamilton Streets, stopping Bacon Street, making this intersection an All-Way STOP; Somerset Street and San Bruno Avenue, stopping Somerset Street at San Bruno Avenue, the stem of this Y-intersection;

Octavia Frontage Road, stopping southbound Octavia Frontage Road at Market Street;

Octavia Frontage Road, stopping northbound Octavia Frontage Road at Hayes Street;

Ingalls Street at Armstrong Street, making intersection All-Way STOP;

Jennings Street at Wallace Street, making intersection All-Way STOP;

Hawes Street at Quesada Street, making intersection All-Way STOP; and

Hoff Street at 16th and 17th Streets, stopping the stem of these T-intersections.

(Parking and Traffic Department)

(3/7/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2961.)

Question: Shall this Resolution be ADOPTED?

16. 050406 [Accept-Expend State Grant – Vertical Prosecution Program]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$290,562 through the California Governor's Office of Criminal Justice Planning (OCJP A301) for the operation of a program entitled "Vertical Prosecution Program."

(District Attorney)

Question: Shall this Resolution be ADOPTED?

17. 050407 [Accept-Expend State Grant – Victim & Witness Assistance Program]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$562,287 through the California Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Victim & Witness Assistance Program."

(District Attorney)

Question: Shall this Resolution be ADOPTED?

18. 050499 [Traffic Regulations - Bike Lanes]

Supervisor Daly

Resolution enacting bike lanes on Market Street.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

19. 050328 **[Settlement of Lawsuit - Mary Jane Gregory]**

Ordinance authorizing settlement of the lawsuit filed by Mary Jane Gregory against the City and County of San Francisco for \$30,000.00; the lawsuit was filed on February 13, 2003 in the San Francisco Superior Court, Case No. 417384; entitled Mary Jane Gregory v. City and County of San Francisco, et al.

4/19/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 050418 **[Settlement of Lawsuit - James Tucker]**

Ordinance authorizing settlement of the lawsuit filed by James Tucker against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 9, 2003 in San Francisco Superior Court, Case No. 424-256; entitled James Tucker, et al. v. City and County of San Francisco, et al. (City Attorney)

4/19/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 050581 **[Settlement of Claims - Pacific Gas & Electric Company]**

Ordinance approving the partial settlement of claims asserted by the City and County of San Francisco in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM, and by Pacific Gas & Electric Company against the City and County of San Francisco in that same proceeding. (City Attorney)

4/19/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mirkarimi, Peskin

22. 050585 [Appointment - Back Streets Business Advisory Board]

Resolution appointing Mark Klaiman, Mark Dwight, David Lupo, My Do, Peter Cohen and Oscar Grande, terms ending November 16, 2006, to the Back Streets Business Advisory Board.

Mark Klaiman, new appointment, seat 3, must be a current or former owner, operator, or officer of a core PDR Back Streets business located in San Francisco, for the unexpired portion of a two-year term ending November 16, 2006.

Mark Dwight, new appointment, seat 4, must be an officer or representative of an organization that represents San Francisco businesses, for the unexpired portion of a two-year term ending November 16, 2006.

David Lupo, new appointment, seat 5, must be an officer or representative of a labor union or other labor organization, for the unexpired portion of a two-year term ending November 16, 2006.

My Do, new appointment, seat 6, must be an officer or representative of an economic development or planning organization or association, or of an academic institution, for the unexpired portion of a two-year term ending November 16, 2006.

Peter Cohen, new appointment, seat 7, must be a person who has a demonstrated interest in and knowledge pertaining to Back Street businesses, for the unexpired portion of a two-year term ending November 16, 2006.

Oscar Grande, new appointment, seat 8, must be a person who has a demonstrated interest in and knowledge pertaining to Back Street businesses, for the unexpired portion of a two-year term ending November 16, 2006.

Question: Shall this Resolution be ADOPTED?

23. 050586 [Appointment - Treasure Island Development Authority Citizens Advisory Board]

Resolution appointing Mera Granberg and Natalie Bonnewit, terms ending December 31, 2008, to the Treasure Island Development Authority Citizens Advisory Board.

Mera Granberg, succeeding Manuel Jimenez, resigned, seat 6, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending December 31, 2008.

Natalie Bonnewit, succeeding Marnella Goncalves, resigned, seat 10, must possess any of the following qualifications: Any of the following: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending December 31, 2008.

Question: Shall this Resolution be ADOPTED?

24. 050587 [Appointment - Western SoMa Citizens' Planning Task Force]

Resolution appointing Jim Meko, Nicholas Rosenberg, Antoinetta Stadlman, Karen Nolan, Jim Berk, Frank McGrath, April Veneracion, Judy Carman, Terrance Alan, John Elberling, Charles Breidinger, Marc Salomon, Sharon Kim, Jeremy Nelson and Richard Kempis, terms ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Jim Meko, new appointment, seat 1, must be a resident of western SoMa for more than three years, for the unexpired portion of a three-year term ending November 23, 2007.

Nicholas Rosenberg, new appointment, seat 2, must be a resident of western SoMa for less than three years, for the unexpired portion of a three-year term ending November 23, 2007.

Antoinetta Stadlman, new appointment, seat 3, must reside in a Single Room Occupancy hotel in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

Karen Nolan, new appointment, seat 5, must be raising a family in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

Jim Berk, new appointment, seat 6, must be a senior residing in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

Frank McGrath, new appointment, seat 7, must operate a local business in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

April Veneracion, new appointment, seat 8, must work with a community-based organization in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

Judy Carman, new appointment, seat 9, must represent the arts, for the unexpired portion of a three-year term ending November 23, 2007.

Terrance Alan, new appointment, seat 10, must represent the entertainment industry, for the unexpired portion of a three-year term ending November 23, 2007.

John Elberling, new appointment, seat 11, must be a non-profit developer, for the unexpired portion of a three-year term ending November 23, 2007.

Charles Breidinger, new appointment, seat 12, must be a for-profit developer, for the unexpired portion of a three-year term ending November 23, 2007.

Marc Salomon, new appointment, seat 13, must be a bicycle advocate, for the unexpired portion of a three-year term ending November 23, 2007.

Sharon Kim, new appointment, seat 14, must be a parks and open space advocate, for the unexpired portion of a three-year term ending November 23, 2007.

Jeremy Nelson, new appointment, seat 15, must be a transportation advocate, for the unexpired portion of a three-year term ending November 23, 2007.

Richard Kempis, new appointment, seat 16, must be a preservation advocate, for the unexpired portion of a three-year term ending November 23, 2007.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

25. 050579 [Adopting findings related to the tentative parcel map appeal on property located at 4005 Mission Street]
Motion adopting findings related to the appeal of the decision of the Department of Public Works approving a tentative parcel map to authorize a 3-unit condominium subdivision at 4005 Mission Street (Assessor's Block 5835, Lot 75).
(Clerk of the Board)
(Companion measure to Files 050374, 050375, 050376, 050377, 050486, 050487, 050488.)

4/14/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

26. 050668 [Adopting findings related to the determination that the appeal of the negative declaration for the 606-624 Divisadero Street project was timely]
Motion adopting findings related to the determination that the appeal of the negative declaration for the 606-624 Divisadero Street project was timely filed.
(Clerk of the Board)
(Companion measure to Files 050287, 050288, 050289, 050290, 050400, 050401, 050402.)

4/20/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Annunzio, Daly, Elsbernd

27. 050431 [To re-appropriate bond sales proceeds from 3 capital projects, funded by General Obligation Bonds; and to re-appropriate the bond sales proceeds from 11 projects, funded by Lease Revenue Bonds]
- Mayor**
- Ordinance re-appropriating \$15,964,440 from 3 large capital projects within the 2000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond to fund the improvement and construction of parks and open space for 11 neighborhood park projects within the Lease Revenue Bond Capital Program. Projects include Rossi Playground, Fay Park Garden, SOMA Park, Junipero Serra Playground/Clubhouse, Sunnyside Playground/Clubhouse, Sunnyside Conservatory, Rolph Park Clubhouse, Herz Playground/Coffman Pool, Visitacion Greenway Senior Park, Moscone Recreation Center and St. Mary's Playground; and
- Re-appropriating \$15,964,440 from 11 various projects within the Lease Revenue Bond Capital Program to fund the improvement and construction of parks and open space for 3 large capital projects within the 2000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond program; Moscone Recreation Center – Phase I, Chinese Recreation Center and Larsen Sava Pool.
- (Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

28. 050273 [Liquor License, 1151 Folsom Street]
- Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 on-sale general eating place license to Jonathan Ching Yang Chiu, for Eight located at 1151 Folsom Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.
- Question: Shall this Resolution be ADOPTED?**
29. 050327 [Liquor License, 90 Natoma Street]
- Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to John Guiffre and Colin O'Malley, for John Colin's located at 90 Natoma Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

30. 041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

10/19/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.

1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

2/8/2005, CONTINUED. Continued to March 15, 2005.

3/15/2005, CONTINUED. The President inquired as to whether or not a member of the public wished to address the Board. Continued to April 26, 2005

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the revised certification of determination of exemption from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

31. 041276 **[Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board) -
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
Question: Shall this Motion be APPROVED?
32. 041277 **[Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
Question: Shall this Motion be APPROVED?
33. 041278 **[Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

34. 050380 [Public Hearing - Appeal of Categorical Exemption for No.1 La Avanzada Street (aka 250 Palo Alto Avenue)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 10, 2005, Case No. 2005.0021E, exempting from environmental review the proposed installation of a new low-power FM antenna for KNGY FM-92.7, four satellite receive-only dishes for KPIX TV-5 and an emergency generator for KBHK TV-44. The project is located at No.1 La Avanzada Street (aka 250 Palo Alto Avenue), on Mount Sutro and is zoned RH-1(D). The individual components are described below.

Low-Power FM Antenna: KNGY is an existing radio station that now broadcasts from the top of a residential building at 1101 Green Street on Russian Hill. The proposed project would relocate KNGY from its current location by allowing the installation of a new low-power FM antenna on Sutro Tower. KNGY currently operates at 3,600 watts of effective radiated power. The new antenna will operate at 510 watts of effective radiated power. The antenna will be approximately 15 feet high by 5 feet wide by 2 feet deep, and will be mounted on the north leg of Sutro Tower at Level 3, approximately 380 feet above ground using an existing set of brackets installed to support a previously approved antenna. No alteration to the existing equipment building at the base of Sutro Tower would be required. (Appellants: Siu Ling Chen for Midtown Terrace Homeowner's Association, Liaison to Sutro Tower and Doris Linnenbach for Twin Peaks Improvement Association, Liaison to Sutro Tower.)

(Filed February 28, 2005; companion measure to Files 050381, 050382, 050383; District 7.)

4/12/2005, CONTINUED. Continued to April 26, 2005.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

35. 050381 [Affirming the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]

Motion affirming the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

4/12/2005, CONTINUED. Continued to April 26, 2005.

Question: Shall this Motion be APPROVED?

36. 050382 [Disapproving the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]
Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

4/12/2005, CONTINUED. Continued to April 26, 2005.

Question: Shall this Motion be APPROVED?

37. 050383 [Preparation of findings related to the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

4/12/2005, CONTINUED. Continued to April 26, 2005.

Question: Shall this Motion be APPROVED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 40 through 53

40. 050700 [Commending California Democratic Party and LGBT Caucus]

Supervisor Ammiano

Resolution commending the California Democratic Party for adopting a resolution in support of public policy that guarantees civil marriage equality for all people who choose to make a marriage commitment as a couple with full rights, responsibilities, privileges and protections that are conveyed by full legal marital status within the marriage license requirements of equal rights for all families and further commending the Lesbian Gay Bisexual Transgender Caucus of the California Democratic Party for their exemplary work.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 050701 [Zoning - Extension of Planning Commission Review Period]

Supervisor Ammiano

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to define a single room occupancy unit as a unit that is affordable to very low income or extremely low income households.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 050702 [Aung San Suu Kyi Day]

Supervisor Ammiano

Resolution declaring on the occasion of Aung San Suu Kyi's 60th birthday, June 19th, 2005 as "Aung San Suu Kyi Day" in the City and County of San Francisco.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 050703 [Establishing an Arts Task Force to Advise Board of Supervisors and Mayor]

Supervisor Ammiano

Resolution establishing an Arts Task Force to make recommendations to the Board of Supervisors and Mayor and setting forth the membership and duties of the Task Force.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 050704 [Commending Lance Armstrong]
Supervisors Daly, McGoldrick, Annunzio, Sandoval, Mirkarini
Resolution commending Lance Armstrong on his stellar career and wishes him well in his final Tour de France and declaring July 24, 2005 as "Lance Armstrong Day" in the City and County of San Francisco.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 050711 [Urging the Department of Parking and Traffic to establish a blue zone in front of St. Aidan's Church]
Supervisor Dufty
Resolution urging the Department of Parking and Traffic to establish a blue zone in front of St. Aidan's Church.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
46. 050712 [Urging California Department of Social Service to provide automated translations of IHSS Notices of Action]
Supervisor Ma
Resolution encouraging the California Department of Social Services, Adult Services Branch, to modify the State computer system (CMIPS) which generates Notices of Action to In-Home Supportive Services consumers, so that Notices can be generated in languages other than English and Spanish.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
47. 050713 [Asian Pacific American Heritage Month]
Supervisors Ma, Dufty, Maxwell
Resolution recognizing May 2005 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
48. 050714 [Accept-Expend State Grant]
Supervisor Peskin
Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$100,000 from the Association of Bay Area Governments (San Francisco Bay Trail Project) for the Downtown Ferry Terminal Public Pier Project.

4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

49. 050715 **[Accept-Expend State Grant]**
Supervisor Peskin
Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$400,000 from the California Department of Transportation for the Downtown Ferry Terminal Public Pier Project.
- 4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 050716 **[Commending San Francisco Public Utilities Commission]**
Supervisor Peskin
Resolution commending the San Francisco Public Utilities Commission for its outstanding performance and receiving awards for leadership in wastewater treatment and renewable energy resources.
- 4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
51. 050717 **[Queen Beatrix]**
Supervisors Peskin, McGoldrick
Resolution sending warmest regards to Queen Beatrix of the Netherlands.
- 4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
52. 050718 **[Supporting California Assembly Bill No. 1125: Household Battery Recycling Act]**
Supervisor Sandoval
Resolution urging the California legislature to pass AB 1125: Household Battery Recycling Act.
- 4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
53. 050677 **[Apply For State Used Oil Recycling and Household Hazardous Waste Management Grants]**
Supervisor Mirkarimi
Resolution authorizing the Department of the Environment to apply for annual grants from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.
- 4/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

54. **IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 12, 2005 to April 18, 2005, for reference by President to appropriate committee on April 26, 2005.

050573 [Deleting References to Traffic Zone No. 1]

Ordinance repealing San Francisco Traffic Code sections 3.6, 10, 20, 35, 88, and 89, and amending San Francisco Police Code section 1320.10, to delete references to Traffic Zone No. 1.
(Parking and Traffic Department)

4/14/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050657 [Settlement of Lawsuit - Nicholas Holley]

Ordinance authorizing settlement of the lawsuit filed by Nicholas Holley against the City and County of San Francisco for the payment of \$50,000; the lawsuit was filed on January 23, 2004, in San Francisco Superior Court, Case No. 428-216; entitled Nicholas Holley v. City and County of San Francisco, et al.
(City Attorney)

4/18/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 12, 2005 to April 18, 2005, for reference by President to appropriate committee on April 26, 2005.

050543 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Faxon Avenue, Elmwood Way and Southwood Drive, making this uncontrolled five-legged intersection an All-Way STOP;

Kansas Street at Vermont/22nd Street, making this uncontrolled intersection an All-Way STOP;

Persia Avenue and London Street, stopping Persia Avenue at London Street making this intersection an All-Way STOP; and,

17th Street and Alabama Street, stopping 17th Street at Alabama Street, making this intersection an all-way STOP.

(Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

4/14/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050544 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR PARKING – ESTABLISH

Andover Street, east side, from the southern property line of 717 Andover Street to the northern property line of 779 Andover Street.

NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

Sheridan Street, south side, between 9th and 10th Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

27th Street, north side, between the driveways of 318 and 322 - 324 27th Street (9 foot zone, accommodating 2 motorcycle parking spaces).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Shotwell Street, east side, in front of 337-339 Shotwell Street (18 foot zone, accommodating 6 motorcycles).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM,**MONDAY THROUGH FRIDAY) - ESTABLISH**

York Street, east side, between 19th and 20th Streets (700 block); and,
Rhode Island Street, both sides, between 24th and 25th Streets (1300 block).

TOW-AWAY NO STOPPING, 7 AM TO 7 PM, MONDAY THROUGH SATURDAY - RESCIND**TOW-AWAY NO STOPPING ANYTIME - ESTABLISH**

Harrison Street, south side, from Main Street to 35 feet westerly

NO PARKING ANYTIME – ESTABLISH

Main Street, west side, from Harrison Street to 22 feet northerly.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY – RESCIND

Front Street, east side, from Clay Street to 30 feet southerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Scott Street, east side, from the north crosswalk at Grove Street to 16 feet southerly.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Bush Street, north side, from Mason Street to Kearny Street

NO PARKING ANYTIME - RESCIND

Bush Street, north side, from St. George Alley to Kearny Street (maintaining 7 AM to 9 AM, Tow-Away Lane); and,

Persia Avenue, north side, from London Street to 20 feet westerly (in conjunction with STOP sign changes).

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Bush Street, south side, between Grant Avenue and Kearny Street

(Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

4/14/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050580 [Settlement of Equal Employment Opportunity Commission (EEOC) Claim - Julie Yee]

Resolution approving settlement of EEOC Charge No. 370A300288, filed by Julie Yee December 18, 2002 against the City and County of San Francisco for \$40,642.78. Other material term of said settlement is that Yee shall release all her claims, including a release of any right she may have to file suit based upon the allegations in her EEOC Charge.
(City Attorney)

4/18/2005, RECEIVED AND ASSIGNED to Rules Committee.

050656 [Settlement of Claim - Fremont Group Management LP]

Resolution approving the settlement of the unlitigated Claim for Tax Refund File No. 05-02753 filed by Fremont Group Management LP on February 23, 2005, against the City and County of San Francisco for \$97,135.09.
(City Attorney)

4/18/2005, RECEIVED AND ASSIGNED to Rules Committee.

050720 [Petition and Communications]

Petitions and Communications received from April 12, 2005 through April 18, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 26, 2005.

From Municipal Transportation Agency, responding to inquiry regarding the feasibility of opening the south crosswalk of Gough Street at Hayes Street. (Reference No. 20050201-014), Copies: Supervisor Mirkarimi (1)

From Municipal Transportation Agency, responding to inquiry requesting a status update on repairing the traffic signal at the corner of Golden Gate Avenue and Divisadero Street. (Reference No. 20050222-001), Copies: Supervisor Mirkarimi (2)

From Municipal Transportation Agency, responding to inquiry requesting feasibility of a traffic signal at the intersection of Ellis and Divisadero Streets. (Reference No. 20050215-002, Copies: Supervisor Mirkarimi (3)

From Office of the Controller, submitting Public Education Fund Annual Report. (4)

From Coalition for San Francisco Neighborhoods, urging the Mayor and members of the Board of Supervisors to support a comprehensive City program of capital planning and maintenance of the City's infrastructure, including parks and open space. Copies: Each Supervisor (5)

Office of the Mayor, appointing Cal Broomhead to the Community Choice Aggregation Citizen's Advisory Taskforce. Copies: Each Supervisor (6)

From Celia Hereford, submitting opposition to price breaks for developers of units that are 350 square feet or less, stating that this does not make San Francisco affordable to the middle class. Copies: Each Supervisor (7)

From Planning Department, submitting Draft Environmental Impact Report Summary of Comments and Responses for the Transfer and Reuse of Naval Station Treasure Island Planning Department File No. 94.448E. Copies: Each Supervisor (8)

From Department of Human Resources, submitting Quarterly Report of Economic Settlements. (9)

From Planning Department, submitting letter which rescinds its prior determination of Categorical Exemption for 1212 15th Avenue. Copies: Each Supervisor (10)

From Concerned People for Animals, Inc, submitting support for the passing of the humane treatment of all companion dogs. Copies: Each Supervisor (11)

From Planning Department, submitting response to letter of appeal to the Board of Supervisors regarding the issuance of a General Rule Exclusion for the San Francisco Bicycle Plan Policy Framework. Copies: Each Supervisor (12)

From Kenji Okamoto, urging the City to do more to assure the safety of pedestrians and cyclists on the streets. (13)

From Municipal Transportation Agency, responding to inquiry requesting a review of the feasibility of establishing a flashing crosswalk on Stanyan Street at Page Street. (Reference No. 20050125-005), Copies: Supervisor Mirkarimi (14)

From Marsh, Inc, advising of a mass layoff on or about June 8, 2005. (15)

From Office of the City Attorney, submitting a copy of memorandum dated February 4, 2004 on

Policy Options for Local Control of Reliable Electric Services. Copies: Each Supervisor (16)

From Coalition for Economic Equity, regarding Replacement Legislation for City's Contracting Program. Copies: Each Supervisor (17)

From Lakeshore Acres Improvement Club, submitting support for the Appeal Of Certification Of Determination Of Exclusion From Environmental Review For San Francisco Bicycle Plan Policy Framework. File No. 050481, Copies: Each Supervisor (18)

From concerned citizens, submitting opposition to proposed resolution condemning homophobic and misogynistic public remarks by the Executive Director and members of the Residential Builders Association of San Francisco. File No. 050655, Received 2 letters, Copies: Each Supervisor (19)

From Marilyn Amini, submitting documents regarding Exemption/Exclusion from Environmental Review for the San Francisco Bicycle Plan Policy Framework. File No. 050481 (20)

From James Hutchinson, submitting a copy of letter requesting interview for the position of Acting Director/DBI. Copies: Each Supervisor (21)

From San Francisco Redevelopment Agency, requesting additional time to respond to request for the Agency's current nondisclosure records and record retention policies. (Reference No. 20050315-006). Copies: Supervisor Mirkarimi (22)

From Alliance For A Better District 6, submitting recommendations to the Western Citizen's Planning Taskforce. File No. 050587, Copies: Each Supervisor (23)

From Department of Building Inspection, submitting Annual Report for Fiscal Year 2003-2004. (24)

From concerned citizens, submitting support for the failed 100% owner-occupied TIC legislation. File No. 050177, received 62 letters (25)

From Japantown Task Force Coalition For Pedestrian Safety, submitting opposition to a bike lane on Post Street. Copies: Each Supervisor (26)

From San Francisco Local Agency Formation Commission, urging the Board of Supervisors to appoint its remaining members to the Community Choice Aggregation Citizens Advisory Task Force. Copies: Each Supervisor (27)

From Bill Quan, submitting opposition to PUC proposed water and sewer rates increases. (28)

From Jack Walder, submitting opposition to proposed Ordinance to allow skateboarding on sidewalks in the city. File No. 041745, Copies: Each Supervisor (29)

From Jeffrey McKenna, concerning the City's failure to clean up graffiti in the area of First and Folsom Streets. Copies: Supervisor Daly (30)

From Cristina White, submitting opposition to the recently passed Ordinance to prohibit smoking in parks and other open public areas in the City. File No. 041307, Copies: Each Supervisor (31)

From Charles Pappas, submitting support for the recently passed moratorium on medical cannabis dispensaries. File No. 050512 (32)

From concerned citizens, urging Board Members to intervene and not allow any further Muni cutbacks, especially to the Metro lines. Copies: Each Supervisor, received 2 letters (33)

From Department Of The Army, submitting San Francisco District Public Notice dated April 6, 2005. (34)

From concerned citizen, inquiring if the naming of the San Francisco Zoo needs to be approved by the Board of Supervisors. Copies: Each Supervisor (35)

From The Original Library Movement, commenting on the Library Preservation Fund. Copies: Each Supervisor (36)

From concerned citizen, expressing opposition to the recently passed ordinance that prohibits the parking of any trailer, semi-trailer, motorhome, or boat on any highway, street, or alley between the hours of 10:00 p.m. to 6:00 a.m. File No. 041073, Copies: Each Supervisor (37)

From Nataraj Akkiraju, submitting opposition to the SFPUC's construction of a valve house in Fremont, CA. Copies: Each Supervisor (38)

From Municipal Transportation Agency, submitting support for the Planning Department's issuance of a General Rule Exclusion for the Bicycle Plan. File No. 050481, Copies: Each Supervisor (39)

From Robert Nevitt, expressing concern regarding MUNI's management. Copies: Each Supervisor (40)

From Wallace Bernard, requesting information for any grants and benefits that would be available to the Bernal Dwellings Senior/Youth Community Resource Center. Copies: Each Supervisor (41)

From Henry Milich, submitting opposition to the Golden Gate Bridge barricade, stating the funds could be better used for other issues. Copies: Each Supervisor (42)

From John Budnick, expressing concern regarding the counter protest at the pro-life West Coast Walk for Life. (43)

From Department of Veterans Affairs, regarding addressing the needs of a properly funded and fully supported County Veterans Service Office in the City. Copies: Each Supervisor (44)

From Yari Jeadia, expressing concern over rental units being converted into condominiums in the City. Copies: Each Supervisor (45)

From Matt Magana, regarding the vote of approval of Final Mitigated Negative Declaration for the Harding Theater. File No. 050287, Copies: Each Supervisor (46)

From The Performance Institute, submitting advertisement for a 2 day training on Government Administrative Management. (47)

From Natural Resources Defense Council, seeking support to protect the Arctic National Wildlife Refuge. (48)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised
April 21, 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance increasing height exemption for elevator penthouses from 10 feet to 16 feet	050496	Land Use	Supervisor Alioto-Pier	3/22/05	4/22/05
Charter Amendment authorizing the Board of Supervisors to meet by teleconferencing or other electronic means during state of emergency	050492	Rules Committee	Supervisor Ma	3/22/05	4/22/05
Ordinance amending SF Health Code by establishing a regulating soil boring and well regulations	050547	Land Use Committee	Supervisor Peskin	3/29/05	4/29/05
Ordinance amending Public Works Code to require integration of transit, pedestrian and bicycle improvements as part of the street improvement projects	050591	City Operations and Neighborhood Services Committee	Supervisor Mirkarimi	4/5/05	5/5/05
Ordinance establishing an environmentally preferable purchasing for commodities	050595	City Operations and Neighborhood Services Committee	Supervisor Maxwell	4/5/05	5/5/05
Ordinance amending SF Administrative Code to establish uniform procedures for developing better neighborhoods planning and implementation process	050601	Land Use Committee	Supervisor McGoldrick, Maxwell, Mirkarimi	4/5/05	5/5/05
Ordinance amending SF Park Code to increase SF Small Craft Harbor	050602	Budget and Finance Committee	Supervisor Alioto-Pier	4/5/05	5/5/05
Ordinance amending Zoning Map Section for properties at the intersection of 18 th and Sanchez Streets	050633	Land Use Committee	Supervisor Duffy	4/12/05	5/12/05

Ordinance amending Public Works Code to address special status trees and landmark trees	050689	City Operations and Neighborhood Services Committee	Supervisor Daly	4/19/05	5/19/05
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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

APR 29 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 3, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 5, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

1. **050431** **[To re-appropriate bond sales proceeds from 3 capital projects, funded by General Obligation Bonds; and to re-appropriate the bond sales proceeds from 11 projects, funded by Lease Revenue Bonds]**
 Mayor, Supervisors McGoldrick, Elsbernd
 Ordinance re-appropriating \$15,964,440 from 3 large capital projects within the 2000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond to fund the improvement and construction of parks and open space for 11 neighborhood park projects within the Lease Revenue Bond Capital Program. Projects include Rossi Playground, Fay Park Garden, SOMA Park, Junipero Serra Playground/Clubhouse, Sunnyside Playground/Clubhouse, Sunnyside Conservatory, Rolph Park Clubhouse, Herz Playground/Coffman Pool, Visitacion Greenway Senior Park, Moscone Recreation Center and St. Mary's Playground; and
- Re-appropriating \$15,964,440 from 11 various projects within the Lease Revenue Bond Capital Program to fund the improvement and construction of parks and open space for 3 large capital projects within the 2000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond program; Moscone Recreation Center – Phase I, Chinese Recreation Center and Larsen Sava Pool.
 (Fiscal impact.)

4/26/2005. PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Elsbernd

2. **050530** **[Accept-Expend Bequest of Harvey V. Berneking Living Trust]**
 Supervisor Elsbernd
 Resolution authorizing the San Francisco Public Library to retroactively accept and expend a gift in the amount of \$100,000 from the HARVEY V. BERNEKING Living Trust for improvements to the Main Library.
 (Public Library)
- Question: Shall this Resolution be ADOPTED?**
3. **050569** **[Contract Prop J: Facility Security Services]**
 Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees.
 (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Duffy, Ma

4. 050415 **[Establishing a tour bus restriction on Baker Street]**
Ordinance amending the San Francisco Police Code by adding Section 1183.35 to establish a tour bus restriction on Baker Street between Richardson Avenue and Union Street.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

4/26/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
5. 050420 **[Establishing a tour bus restriction on Broderick Street]**
Ordinance amending the San Francisco Police Code by adding Section 1183.36 to establish a tour bus restriction on Broderick Street between Richardson Avenue and Union Street.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

4/26/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
6. 050421 **[Establishing a tour bus restriction on Chestnut Street]**
Ordinance amending the San Francisco Police Code by adding Section 1183.32 to establish a tour bus restriction on Chestnut Street between Lyon Street and Richardson Avenue.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

4/26/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 050478 **[Establishing a tour bus restriction on Greenwich Street]**
Ordinance amending the San Francisco Police Code by adding Section 1183.33 to establish a tour bus restriction on Greenwich Street between Lyon and Divisadero Streets.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

4/26/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

8. 050479 [Establishing a tour bus restriction on Filbert Street]
Ordinance amending the San Francisco Police Code by adding Section 1183.34 to establish a tour bus restriction on Filbert Street between Lyon and Divisadero Streets.
(Parking and Traffic Department)
(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

4/26/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
9. 050525 [Establishing commercial vehicle weight restrictions on Broderick Street]
Ordinance amending the San Francisco Traffic Code by adding Section 28.5.58 to establish a commercial weight restriction on Broderick Street between Richardson Avenue and Union Street.
(Parking and Traffic Department)
(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

4/26/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 050526 [Extending commercial vehicle weight restrictions on Chestnut Street]
Ordinance amending the San Francisco Traffic Code by amending Section 28.5.9 to extend the commercial vehicle weight restriction on Chestnut Street to include Chestnut Street between Lyon and Broderick Streets.
(Parking and Traffic Department)
(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

4/26/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
11. 050527 [Establishing commercial vehicle weight restrictions on Greenwich Street]
Ordinance amending the San Francisco Traffic Code by adding Section 28.5.57 to establish a commercial vehicle weight restriction on Greenwich Street between Divisadero and Lyon Streets.
(Parking and Traffic Department)
(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

4/26/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

12. 050528 [Establishing commercial vehicle weight restrictions on Filbert Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.59 to establish a commercial weight restriction on Filbert Street between Divisadero and Lyon Streets.
(Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

4/26/2005. PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 050529 [Extending commercial vehicle weight restrictions on Baker Street]

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.3, establishing a commercial vehicle weight restriction on Baker Street, by extending the restriction to include Baker Street between Union Street and Marina Boulevard.
(Parking and Traffic Department)

(DPT Order No. 2974.)

4/26/2005. PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Mirkarimi

14. 050679 [Audit Priorities]
Supervisor Peskin

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

15. 050574 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review (Variance Decision) for 1400-1402 Cole Street]**

Hearing of persons interested in or objecting to the variance decision of the Planning Department dated December 6, 2004 (Case No. 2003.0639V), exempting from environmental review under CEQA Guidelines, the proposal to add a third floor addition, to include a second dwelling unit to a two-story mixed-use (dwelling unit over commercial) structure (Adel's Wine Cellar), and to legalize and enlarge an addition at the rear of the building, creating a roof deck and access stair in the required rear yard. The existing structure, detached garage, and rear yard deck are considered noncomplying with respect to the Planning Code, as they are located in the required rear yard.

The project is located at 1400-1402 Cole Street, southeast corner of the intersection of Cole and 17th Streets; Lot 023 in Assessor's Block 1291 within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. (Appellants: Dr. Dennis L. Hamby, and Mrs. Carol Hamby) (Filed April 5, 2005; companion measure to Files 050575, 050576, 050577: District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review (variance decision) described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

16. 050575 [Affirming the categorical exemption issued for 1400-1402 Cole Street]
Motion affirming the determination by the Planning Department that the 1400-1402 Cole Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
17. 050576 [Disapproving the categorical exemption issued for 1400-1402 Cole Street]
Motion disapproving the determination by the Planning Department that the 1400-1402 Cole Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
18. 050577 [Preparation of findings related to the categorical exemption issued for 1400-1402 Cole Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1400-1402 Cole Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

Reports from committees, if any, recommending emergency or urgent measures. The following item was considered by the Rules Committee at a Regular Meeting on Wednesday, April 27, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 3, 2005.

19. 050710 [Appointment - Police Commission]
Motion confirming the Rules Committee's nomination of, and appointing, Gayle Orr-Smith to the San Francisco Police Commission for a term of office commencing on April 30, 2005 at noon, term ending April 30, 2009 at noon.
Gayle Orr-Smith, succeeding herself, term expiring April 30, 2005 at noon, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2009 at noon.

(Supervisor Mirkarimi dissenting in Committee)
- Question: Shall this Motion be APPROVED?

The following item was considered by the Budget and Finance Committee at a Regular Meeting on Thursday, April 28, 2005 at 11:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 3, 2005.

20. 050695 [Adoption of Board of Supervisors' 2005 Budget Process and Policy Priorities]
Supervisor Ammiano
Resolution adopting the San Francisco Board of Supervisors' 2005 Budget Process and Policy Priorities.

Question: Shall this Resolution be ADOPTED?

21. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

22. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 23 through 31

23. 050754 [Juror Appreciation Week]
Supervisor Duffy
Resolution declaring May 8 through May 14, 2005, Juror Appreciation Week throughout the City and County of San Francisco.

4/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. 050755 [Supporting the WorldPride celebration in Jerusalem]
Supervisors Dufty, Ammiano, Maxwell, Daly, Mirkarimi, Ma
Resolution supporting the WorldPride celebration in Jerusalem.
- 4/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
25. 050756 [Accept-Expend Grant Awarded to the San Francisco Department of the Environment by the Friends of the Commission on the Status of Women]
Supervisor Elsbernd
Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of \$25,000.00 from the Friends of the Commission on the Status of Women to provide outreach and education about recycling used cell phones.
- 4/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. 050757 [Safe Jobs]
Supervisor Ma
Resolution recognizing and declaring the month of May 2005 as "Safe Jobs for Youth Month" in the City and County of San Francisco.
- 4/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 050758 [Commending Nick and Sophia Vlahiotis]
Supervisors Ma, Dufty
Resolution commending Nick and Sophia Vlahiotis on the 20th Anniversary of Ristorante Capri.
- 4/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. 050759 [Supporting AB 452, Double Fine Zone for Moving Violations on 19th Avenue]
Supervisors Mirkarimi, Ma
Resolution urging the California State Assembly and Governor to support Assembly Bill No. 452.
- 4/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

29. 050722 [Final Map for a 23 Unit Commercial/Residential Condominium Project - 515-521-525 Gough Street]
Motion approving Final Map of 515-521-525 Gough Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 77 in Assessor's Block No. 793, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPw Order No. 175,326; District 6.)

4/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

30. 050723 [Final Map for a 6 Lot Merger and 5 Lot Re-subdivision Project - 830 Lake Street]
Motion approving Final Map of 830 Lake Street, A 6 Lot Merger and 5 Lot Re-subdivision Project, being a re-subdivision of Lots 7, 8, 9, 10, 11 and 12 in Assessor's Block No. 1349, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPw Order No. 175,337; District 1.)

4/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

31. 050731 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

32. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 19, 2005 through April 25, 2005, for reference by President to appropriate committee on May 3, 2005.

050724 [Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]

Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings.
(Planning Department)

4/25/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/2/2005.

050725 [Alabama and 18th Streets Affordable Housing Special Use District]

Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings.
(Planning Department)

4/25/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/2/2005.

050726 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance approving the settlement of telephone users tax refund claim asserted by Pacific Gas & Electric Company against the City and County of San Francisco in a claim for refund, then in Pacific Gas & Electric Company v. City and County of San Francisco, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM and Adv. No 04-3071 DM.
(City Attorney)

4/25/2005, RECEIVED AND ASSIGNED to Rules Committee.

- 050727 [Amending the Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3.]**
Ordinance amending Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3 of the Building Code to allow land surveyors to prepare submittal documents; to prohibit use or occupancy of structures until a certificate of final completion and occupancy or other approval by the Department of Building Inspection has been issued; to remove the definition of building height; to regulate the depth of structural projections; to delete requirements for exterior backings constructed of solid wood and plywood; to allow for approved alternate locations for storm or casual water drains; to remove requirement that solid wood or plywood wall sheathing used as backing for plaster be pressure-treated, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.
(Building Inspection Department)
- 4/25/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/2/2005.
- 050728 [Amending the Housing Code regarding mechanical ventilation of bathrooms]**
Ordinance amending Section 504 of the Housing Code to modify requirements for mechanical ventilation of bathrooms and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.
(Building Inspection Department)
- 4/25/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/2/2005.
- 050729 [Amending the Plumbing Code regarding storm water drain locations and grease traps]**
Ordinance amending Section 306.2 and Section 1014.1 of the Plumbing Code to allow for alternate locations for rain water drains; to modify the requirements for grease traps; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.
(Building Inspection Department)
- 4/25/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/2/2005.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 19, 2005 through April 25, 2005, for reference by President to appropriate committee on May 3, 2005.
None.

050768 [Petitions and Communications]

Petitions and Communications received from April 19, 2005 through April 25, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 3, 2005.

From Carrie Beard, submitting request for a Type 48 liquor license for Cornerstone Restaurant Group LLC, at 25 Maiden Lane. (1)

From Zain Azzghayer, submitting request to transfer (premises to premises) a Type 21 liquor license from the Hilton Hotel to the Mandarin Oriental Hotel located at 238 Sansome Street. (2)

From Department of Public Health, submitting the revised admissions policy for Laguna Honda Hospital. (3)

From Department of Public Works, responding to request to have the large crack in the center of the street in front of 642 Steiner Street repaired. (Reference No. 20050412-003) Copy: Supervisor Mirkarimi (4)

From Physicians for Social Responsibility, submitting support for the multilingual sign ordinance that would essentially require the Department of Public Health to enforce the Safe Drinking Water and Toxic Enforcement Act of 1986. (5)

From Department of Public Works, responding to request to have the large crack in the center of the street in front of 620 Broderick Street repaired. (6)

From Public Utilities Commission, submitting a declaration of emergency for the slope and the drainage pipe at the Harry Tracy Water Terminal Plant. Copy: Each Supervisor (7)

From Coalition for S.F. Neighborhoods, submitting resolution urging the Mayor to require the Garbage Rate Board to create a temporary position as an Advocate for the City's ratepayers for the next hearing on any rate increase. (8)

From Coalition for S.F. Neighborhoods, submitting resolution urging the Mayor to make a formal declaration for the transfer of the USS Iowa to the Port of San Francisco, requiring it to designate a pier assignment without further delay. Copy: Each Supervisor (9)

From Clerk of the Board, submitting list of organizations including the membership cost in which the Board of Supervisors/Clerk of the Board's Office wishes to be a member in fiscal year 2005-06. Copy: Each Supervisor (10)

From California Taxpayers' Association, submitting opposition to the entry of San Francisco into the broadband communications business. Copy: Each Supervisor (11)

From Abdalla Megahed, commenting on the living situation at MS-C-South shelter. (12)

From Abdalla Megahed, announcing that the month of April will be his last month as a homeless advocate at City Hall because of his failing health. (13)

From Hiroshi Fukuda, urging the Board to continue the San Francisco Bicycle Plan. (14)

From Department of Parking and Traffic, submitting quarterly report listing tow refunds for the third quarter of fiscal year 2004-05. (15)

From Redevelopment Agency, regarding replacement of the palm tree in Gene Suttle Plaza at Fillmore and O'Farrell Streets. (Reference No. 20050322-006) Copy: Supervisor Mirkarimi (16)

From Immigrant Rights Commission, submitting copy of letter sent to the following departments notifying them that they are in non-compliance with San Francisco's Equal Access to Services Ordinance: Department of Parking and Traffic, Public Defender, Residential Rent Board, District Attorney, Adult Probation, Emergency Communications Department, Department of Elections and the Juvenile Probation Department. Copy: Each Supervisor (17)

From S. F. Health Plan, submitting copy (with signatures) of the Joint Powers Agreement entered into on April 22, 2005 between S.F. Health Plan and the City and County of San Francisco. File 050514 (18)

From West of Twin Peaks Central Council, submitting support for appeal of Categorical Exemption for No. 1 La Avanzada Street (aka 250 Palo Alto Avenue) Sutro Tower. File 050382, Copy: Each Supervisor (19)

From Karen Wong, submitting opposition to proposed Residential Character District (RCD) for the County Club Acres subdivision. (20)

From Tyrone Moore, submitting press release on health care for the working uninsured and how VBS Healthcare Systems might be able to support San Francisco with its uninsured issues amongst business owners. (21)

From G. Storck, regarding medical cannabis dispensaries in San Francisco. File 050314, Copy: Each Supervisor (22)

From Sally Hays, regarding the Department of Recreation and Parks decision to arbitrary close mixed-use fields to soccer teams in the midst of spring season. Copy: Each Supervisor (23)

From State Department of Child Support Services, submitting updated information regarding repayment-sharing ratios for federal fiscal year 2005. (24)

From Jeremy Nelson, urging the Board to join Transportation for a Livable City in supporting Assembly Bill 452 to create a Safety Enhancement Double Fine Zone for 19th Avenue (between Junipero Serra Blvd. and Lake Street). Copy: Each Supervisor (25)

From Jill Krueger, submitting support for more bike lanes on Market Street. File 050489, Copy: Each Supervisor (26)

From John Quinn, submitting support for more bike lanes on Oakdale Avenue, Market and Fulton Streets. Copy: Each Supervisor (27)

From Office of the Controller, submitting the City Survey for 2005. File 050678, Copy: Each Supervisor (28)

From Redevelopment Agency, submitting its financial and performance reports for the fiscal year ended June 30, 2004. (29)

APPOINTMENTS BY THE MAYOR

Health Commission

Dr. Donald Tarver

Human Services Commission

Kelly Dearman

Brian Murphy

Library Commission

Lonnie Chin

Helen Marte Bautista

Lawrence Kane

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT

MAY - 6 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 10, 2005 2:00 PM

Regular meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunión debe recibirse antes de mediodía de el viernes anterior a la reunión. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 12, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

1. 050553 [Subcontract agreement funds for a chronic hepatitis electronic registry system]
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into a subcontract agreement in the amount of \$108,944 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund a chronic hepatitis electronic registry system; for the period of December 30, 2004, through December 29, 2005.

Question: Shall this Resolution be ADOPTED?

2. 050642 [Contract funds to evaluate the integration of buprenorphine treatment into the SFGH AIDS Program, Year 1]
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into the first year of an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend funds in the amount of \$52,190 to provide local and multi-site evaluation of the integration of buprenorphine treatment into the SFGH AIDS Program; for the period of September 1, 2004 to August 31, 2005.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

3. 050548 [Settlement of Lawsuit - ARCO et al.]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against The Hertz Corporation and BP/Atlantic Richfield, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 050567 [Settlement of Lawsuit - Tamyra D'Ippolito]
Ordinance authorizing settlement of the lawsuit filed by Tamyra D'Ippolito against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 23, 2001 in San Francisco Superior Court, Case No. 323-130; entitled Tamyra D'Ippolito, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 050568 [Settlement of Lawsuit - Bryan Ketron]
Ordinance authorizing settlement of the lawsuit filed by Bryan Ketron against the City and County of San Francisco for \$57,500 and the lawsuit filed by Alisa Vincent against the City and County of San Francisco for \$25,000; the cases have been consolidated under Bryan Ketron v. City and County of San Francisco, et al., Superior Court, Case No. 414-357. The Ketron lawsuit was filed on November 4, 2002 in Superior Court, Case No. 414-357 the Vincent lawsuit was filed on March 21, 2003 in Superior Court, Case No. 418-577.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 050571 [Settlement of Lawsuit - Teri Smith]
Ordinance authorizing settlement of the lawsuit filed by Teri Smith against the City and County of San Francisco for an agreement to spend an amount not to exceed \$1,100,000.00 to make certain disability access improvements at the San Francisco Zoo; the lawsuit was filed on June 19, 2002 in US District Court (Case No C02-2936 PJH).

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 050582 [Settlement of Lawsuit - Pacific Gas and Electric Company]
Ordinance approving settlement of litigation by Pacific Gas and Electric Company against City and County of San Francisco for \$3,000.

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 050657 [Settlement of Lawsuit - Nicholas Holley]
Ordinance authorizing settlement of the lawsuit filed by Nicholas Holley against the City and County of San Francisco for the payment of \$50,000; the lawsuit was filed on January 23, 2004, in San Francisco Superior Court, Case No. 428-216; entitled Nicholas Holley v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 050656 [Settlement of Claim - Fremont Group Management LP]
Resolution approving the settlement of the unlitigated Claim for Tax Refund File No. 05-02753 filed by Fremont Group Management LP on February 23, 2005, against the City and County of San Francisco for \$97,135.09.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

10. 050580 [Settlement of Equal Employment Opportunity Commission (EEOC) Claim - Julie Yee]
Resolution approving settlement of EEOC Charge No. 370A300288, filed by Julie Yee December 18, 2002 against the City and County of San Francisco for \$40,642.78. Other material term of said settlement is that Yee shall release all her claims, including a release of any right she may have to file suit based upon the allegations in her EEOC Charge.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

11. 050706 [Appointment - Bicycle Advisory Committee]
Resolution appointing Susan King and Hitesh Soneji, terms ending November 19, 2006, to the Bicycle Advisory Committee.
Susan King, succeeding Bridget May, term expired, seat 5, must be a nominee of District 5 Supervisor. The member must serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.
Hitesh Soneji, succeeding Dale Butler, term expired, seat 6, must be a nominee of District 6 Supervisor. The member must serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

12. 050707 [Appointment - Back Streets Business Advisory Board]
Resolution appointing Louis Guidry, Jr., term ending November 16, 2006, to the Back Streets Business Advisory Board.
Louis Guidry, Jr., new appointment, seat 2, must be a current or former owner, operator, or officer of a medium PDR Back Streets business located in San Francisco, for the unexpired portion of a term ending November 16, 2006.

Question: Shall this Resolution be ADOPTED?

13. 050766 [Appointment - Back Streets Business Advisory Board]
Resolution appointing Robert Legallet, term ending November 16, 2006, to the Back Streets Business Advisory Board; residency requirement waived.
Robert Legallet (residency requirement waived), new appointment, seat 1, must be a current or former owner, operator, or officer of a light PDR Back Streets business located in San Francisco, for the unexpired portion of a two-year term ending November 16, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

14. 050655 [Condemning Homophobia and Misogyny]
Supervisor Peskin
Resolution condemning homophobic and misogynistic public remarks by the Executive Director and certain members of the Residential Builders Association of San Francisco and urging that all City meetings be conducted with respect and decorum.
- 4/19/2005. REFERRED to City Operations and Neighborhood Services Committee.
- Question: Shall this Resolution be ADOPTED?
15. 050675 [Allocation of Mental Health Services Act Funds]
Supervisors Maxwell, Ammiano, Daly, Mirkarimi, Ma
Resolution establishing mental health services for San Franciscans exposed to gun and gang violence and for youth in the juvenile justice system as policy priorities in the Board of Supervisors' review of the City's submission to the State for Mental Health Services Act funds.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

16. 041570 [Conflict of Interest Code Amendments]
Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.
- 4/27/05 Amendment of the Whole bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 050434 [Establishing Graffiti Violation Rewards and Clarifying Uses of Littering and Nuisance Reward Fund Monies]
Supervisor Ma
Ordinance amending the San Francisco Administrative Code by amending Section 10.100-234, the Public Works Littering and Nuisance Violation Reward Fund, to reward persons who have provided information leading to the arrest and conviction of persons under California Penal Code Sec. 594 for graffiti vandalism and to clarify uses of fund where a reward is inapplicable or unclaimed.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
18. 050643 [Extension of San Francisco Museum and Historical Society Advisory Committee's operations for one year]
Supervisor Peskin
Ordinance amending Section 2A.166 of the San Francisco Administrative Code in order to extend the operations of the San Francisco Museum and Historical Society Advisory Committee for one year, until June 1, 2006.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
19. 050767 [Appointment - Children and Families First Commission]
Resolution appointing Supervisor Ross Mirkarimi, term indefinite, to the Children and Families First Commission.
Supervisor Ross Mirkarimi, succeeding Supervisor Chris Daly, resigned, seat 3, must be a member of the Board of Supervisors, for an indefinite term.

(Supervisor Mirkarimi excused from voting)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

20. 050181 [General Plan amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly
Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.
(Companion measure to Files 050181, 050182, 050183, and 050184.)

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 050182 [Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

23. 050770 [Hearing - Redevelopment Plan for the Transbay Redevelopment Project Area]
Hearing to consider possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation**From the Budget and Finance Subcommittee and Committee of the Whole**

24. 050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly
Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Fiscal impact.)

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to refer this matter to the Redevelopment Agency with pending amendments.

Continued to May 10, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 4:30 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

25. 050670 [Hearing - Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

26. 050671 [Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]
Mayor
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Board of Supervisors Sitting as a Committee of the Whole

27. 050672 [Hearing - Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

28. 050673 [Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]
Mayor
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 5:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pending approval of File 050775.)

29. 050776 [Hearing - 60 Day Extension of Interim Moratorium on Medical Cannabis Dispensaries]
Hearing to consider the possible adoption of an urgency ordinance approving a 60 day extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

30. 050773 [Zoning - 60 Day Extension of Interim Moratorium on Medical Cannabis Dispensaries]
Supervisor Mirkarimi
Urgency ordinance approving a 60 day extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be **FINALLY PASSED**?

31. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

32. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 33 through 42

33. 050775 [Committee of the Whole - May 10, 2005, at 5:00 p.m.]

Supervisor Mirkarimi

Motion for the Board of Supervisors to convene as a committee of the whole on May 10, 2005, at 5:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending an interim zoning moratorium throughout the City for 60 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

34. 050774 [Report for Interim Moratorium on Clubs or Dispensaries Where Marijuana is Grown, Purchased or Distributed With a Medical Recommendation]

Supervisor Mirkarimi

Motion adopting and issuing the Planning Department's report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

35. 050787 [Drinking Water Week]

Supervisor Ma

Resolution recognizing May 1-7, 2005 as "Drinking Water Week" in the City and County of San Francisco.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 050788 [Commending Homeless Mothers in San Francisco]

Supervisor Mirkarimi

Resolution commending the homeless mothers who are struggling to raise families in San Francisco in the midst of a housing crisis.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 050789 [Public Works Week]
Supervisor Peskin
Resolution declaring May 16 through 20, 2005, as Public Works Week.
- 5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 050790 [Honoring Bay Area Holocaust Survivors]
Supervisors Sandoval, Peskin, Duffy
Resolution honoring Bay Area Holocaust Survivors on the 60th Anniversary of their liberation, and commending them for their contributions to the San Francisco and Bay Area community.
- 5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 050791 [Nova Knits Inc.]
Supervisors McGoldrick, Peskin, Maxwell, Sandoval, Mirkarimi, Ammiano, Daly
Resolution urging Nova Knits Inc. to comply with the Worker Adjustment and Retraining Notification (WARN) Act and the legitimate requests of its laid off workers and to ensure that its laid off workers are able to access transitional employment benefits through Unemployment Insurance, the Workforce Investment Act (WIA) and the Trade Adjustment Assistance Act (TAA).
- 5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 050772 [California's Day of the Teacher]
Supervisors Ammiano, Daly, Mirkarimi
Resolution declaring May 11, 2005 as California's Day of the Teacher in the City and County of San Francisco.
- 5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 050760 [Final Map for a 6 Unit Residential Condominium Project - 400-402-404-406-408-410 Vallejo Street]
Motion approving Final Map of 400-402-404-406-408-410 Vallejo Street, A Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 133, and adopting findings pursuant to Planning Code Section 101.1.
(DPW Order No. 175,357; District 3.)
- 4/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

42. 050762 [Final Map for a 2 Lot Merger and 5 Lot Resubdivision Project - 226 Oneida Avenue]
Motion approving Final Map of Oneida Avenue, A 2 Lot Merger and 5 Lot Resubdivision Project, being a resubdivision of Lots 8B and 9D in Assessor's Block No. 6951, and adopting findings pursuant to Planning Code Section 101.1.
(DPW Order No. 175,373; District 11.)

4/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from April 26, 2005 through May 3, 2005, for reference by President to appropriate committee on May 10, 2005.
None.

PROPOSED RESOLUTIONS

Proposed resolution received from April 26, 2005 through May 3, 2005, for reference by President to appropriate committee on May 10, 2005.

050763

[Lease of Real Property - One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 66,317 square feet of space and extending the term of an existing lease at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco.

(Real Estate Department)

5/2/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050814 [Petitions and Communications]

Petitions and Communications received from April 26, 2005 through May 2, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 9, 2005.

From Joseph Nazzal, submitting request for a beer and wine liquor license for Valencia Whole Foods located on the corner of 21st and Valencia Streets. (1)

From Municipal Transportation Agency, regarding request for traffic calming measures on Buchanan Street, Linden Street and Ivy Street. (Reference No. 20050315-005) Copy: Supervisor Mirkarimi (2)

From Marilyn Amini, submitting cover letter for materials submitted on April 19, 2005 regarding exemption from environmental review for the 1997 San Francisco Bicycle Plan. File 050481 (3)

From the Asthma Task Force, submitting request to remove Carl Rose from Seat 13 of the Lung Health/Asthma-Specific Organization because of his absence at three meetings in a row. (4)

From State Department of Child Support Services, regarding passage of AB 2530 that increases the fee an employer may charge an employee to process an income withholding order. (5)

From Civil Service Commission, adopting the recommendation of the Department of Human Resources Salary Survey for Registered Nurses for fiscal year 2005-06. Copy: Each Supervisor (6)

From the Mayor, regarding upcoming sale of the first series of General Obligation Bonds for the Laguna Honda Hospital replacement project. Copy: Budget Analyst (7)

From Planning Department, regarding hearing on developer fees and inclusionary housing requirements for the Rincon Hill Area Plan. (Reference No. 20050419-005) Copy: Supervisor Sandoval (8)

From Planning Department, regarding the feasibility of incorporating the entire Western Addition into the Geary Street Corridor Better Neighborhood Plan. (Reference No. 20050315-003) Copy: Supervisor Mirkarimi (9)

From Law Offices of Stephen Williams, regarding removing CEQA appeal for property located at 1730-1750 Van Ness Avenue. (10)

Number not used. (11)

From Law Offices of Stephen Williams, regarding "settlement offers" between the developer and appellants of the project at 1750 Van Ness Avenue. File 041275 Copy: Each Supervisor (12)

From concerned citizens, submitting support for proposed extension of bike lanes along Market Street. File 050499 Copy: Each Supervisor (13)

From Municipal Transportation Agency, submitting overtime justification for those employees who worked overtime in excess of 16% of their regularly scheduled straight time, excluding transit operators and transit supervisors. (14)

From Residential Rent Stabilization and Arbitration Board, submitting copy of letter sent to the Immigrant Rights Commission regarding being in compliance with the Equal Access to Services Ordinance. Copy: Each Supervisor (15)

From Mission Merchants Association, submitting support for establishing a "Business Improvement District" for the 2500 Block of Mission Street. Copy: Each Supervisor (16)

From Coalition for San Francisco Neighborhoods, submitting request for continuance of appeal of the San Francisco Bicycle Plan Policy Framework from Environmental Review. File 050481 (17)

From Coalition for San Francisco Neighborhoods, submitting support for a comprehensive city program of capital planning and maintenance of the city's infrastructure. (18)

From Planning Department, submitting notice that an environmental review for the proposed ordinance on the "Landmarks Board Review Period" was issued by the Planning Department on April 12, 2005. File 050437 (19)

From Eureka Valley Trails and Art Network, submitting commendation and appreciation to Bryant Woo, engineer with the Department of Parking and Traffic, for his sound and thoughtful recommendations on how best to mitigate the traffic hazards in the Upper Market Street area of San Francisco. (20)

From Urban Water Institute, submitting notice of conference entitled "Can California's Vast Offshore Reservoir Help Meet the State's Future Water needs?" on June 22-23-24, 2005 at the Hyatt Regency Hotel in Long Beach, California. Copy: Each Supervisor (21)

From Municipal Transportation Agency, concerning the feasibility of installing an all-way stop control at the intersection of 4th Avenue and Hugo Street. (Reference No. 20050315-004) Copy: Supervisor Mirkarimi (22)

From Recreation and Park Department, submitting 3rd quarter report on Lead Poison Prevention, pursuant to Resolution 157-99, fiscal year 2004-05. (23)

From Office of the Treasurer & Tax Collector, submitting quarterly report for the Bureau of Delinquent Revenue for the period January 1, 2005 through March 31, 2005. (24)

From Interim Administrator, Sunshine Ordinance Task Force, submitting notice that the 2004 Annual Report has been posted on its web page at sfgov.org/sunshine. (25)

From Office of the City Attorney, responding to inquiry by Supervisor Mirkarimi regarding unresolved allegations over unfair labor practices causing General Laborers to be dismissed as a result of creating a "special" program class known as the 7501 position. Copy: Supervisor Mirkarimi (26)

From Dennis & Carol Hamby, withdrawing appeal of categorical exemption for proposed project at 1400-1402 Cole Street. File 050574, Copy: Each Supervisor (27)

From Human Services Agency, submitting quarterly update for the Human Services Care Fund. (28)

From concerned citizens, commenting on the City Controller's 2004 City Survey giving San Francisco a C+ for city services. (29)

From Jeremy Nelson, submitting support for AB 1208 to assess a "vehicle impact mitigation fee" registration surcharge on all vehicles registered in San Francisco. Copy: Each Supervisor (30)

From Comcast Cable, submitting notice of implementation of a security deposit requirement for the rental of the DVR converter to subscribers in various categories, effective June 1, 2005. (31)

From concerned citizens, commenting on the appointment to the Deputy Chief's job at the Fire Department. (32)

APPOINTMENTS BY THE MAYOR
Human Rights Commission
Mark Dunlop

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAY 12 2005

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Tuesday, May 17, 2005 2:00 PM

Regular

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

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Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 19, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

1. 041570 **[Conflict of Interest Code Amendments]**
 Supervisor Daly

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

4/27/05 Amendment of the Whole bearing same title.

5/10/2005, PASSED ON FIRST READING. Supervisor Daly requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

2. 050434 [Establishing Graffiti Violation Rewards and Clarifying Uses of Littering and Nuisance Reward Fund Monies]
Supervisor Ma
Ordinance amending the San Francisco Administrative Code by amending Section 10.100-234, the Public Works Littering and Nuisance Violation Reward Fund, to reward persons who have provided information leading to the arrest and conviction of persons under California Penal Code Sec. 594 for graffiti vandalism and to clarify uses of fund where a reward is inapplicable or unclaimed.

5/10/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 050643 [Extension of San Francisco Museum and Historical Society Advisory Committee's operations for one year]
Supervisor Peskin
Ordinance amending Section 2A.166 of the San Francisco Administrative Code in order to extend the operations of the San Francisco Museum and Historical Society Advisory Committee for one year, until June 1, 2006.

5/10/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 050548 [Settlement of Lawsuit - ARCO et al.]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against The Hertz Corporation and BP/Atlantic Richfield, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).

5/10/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 050567 [Settlement of Lawsuit - Tamara D'Ippolito]
Ordinance authorizing settlement of the lawsuit filed by Tamara D'Ippolito against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 23, 2001 in San Francisco Superior Court, Case No. 323-130; entitled Tamara D'Ippolito, et al., v. City and County of San Francisco, et al.
(City Attorney)

5/10/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 050568 [Settlement of Lawsuit - Bryan Ketron]
Ordinance authorizing settlement of the lawsuit filed by Bryan Ketron against the City and County of San Francisco for \$57,500 and the lawsuit filed by Alisa Vincent against the City and County of San Francisco for \$25,000; the cases have been consolidated under Bryan Ketron v. City and County of San Francisco, et al., Superior Court, Case No. 414-357. The Ketron lawsuit was filed on November 4, 2002 in Superior Court, Case No. 414-357 the Vincent lawsuit was filed on March 21, 2003 in Superior Court, Case No. 418-577.
(City Attorney)

5/10/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 050571 [Settlement of Lawsuit - Teri Smith]
Ordinance authorizing settlement of the lawsuit filed by Teri Smith against the City and County of San Francisco for an agreement to spend an amount not to exceed \$1,100,000.00 to make certain disability access improvements at the San Francisco Zoo; the lawsuit was filed on June 19, 2002 in US District Court (Case No C02-2936 PJH).

5/10/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 050582 [Settlement of Lawsuit - Pacific Gas and Electric Company]
Ordinance approving settlement of litigation by Pacific Gas and Electric Company against City and County of San Francisco for \$3,000.

5/10/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
9. 050657 [Settlement of Lawsuit - Nicholas Holley]
Ordinance authorizing settlement of the lawsuit filed by Nicholas Holley against the City and County of San Francisco for the payment of \$50,000; the lawsuit was filed on January 23, 2004, in San Francisco Superior Court, Case No. 428-216; entitled Nicholas Holley v. City and County of San Francisco, et al.
(City Attorney)

5/10/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

10. 050764 [Adopting findings related to affirming the categorical exemption for 1 La Avanzada Avenue (aka 250 Palo Alto Avenue)]
Motion adopting findings affirming the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
(Companion measure to Files 050380, 050381, 050382, 050383.)

5/6/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Elsbernd

11. 050350 [Appropriate funds to pay for litigation fees associated with the Residential Hotel Unit Conversion/Demolition Ordinance for FY2004-05]
Supervisor Peskin
Ordinance appropriating \$300,000 from the Residential Preservation Fund Account, within the Building Inspection Fund's Repair & Demolition subfund, to pay for litigation fees associated with the defense of the Residential Hotel Unit Conversion and Demolition Ordinance for Fiscal Year 2004-2005.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 050681 [Bond Sale of Branch Library General Obligation Bonds]
Supervisor Elsbernd
Resolution authorizing and directing the sale of not to exceed \$34,000,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000), Series 2005G; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

13. 050735 [Appropriate bond sale proceeds from the sale of 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library facilities]
Mayor
Ordinance appropriating, and placing on reserve, \$35,801,823 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library facilities for current fiscal year 2004-05.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Daly, Elsbernd

14. 050680 [Bond Sale of Zoo Facilities Bonds]**Supervisor Elsbernd**

Resolution authorizing and directing the sale of not to exceed \$7,505,000 City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 2005H; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

15. 050736 [Appropriate General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities and properties]**Mayor**

Ordinance appropriating, and placing on reserve, \$7,505,000 in General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities, properties and all other works (as part of 1997 Proposition C) for current fiscal year 2004-05.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 050619 [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]

Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of \$20,066,423 from the Federal Aviation Administration: \$6,066,423 (A.I.P 28, Project No. 3-06-0221-28); \$8,250,000 (A.I.P 31, Project No. 3-06-0221-31), and \$5,750,000 (A.I.P 32, Project No. 3-06-0221-32) for Airport standard and security improvements.

(Airport Commission)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Elsbernd

17. 050676 [Accept - Expend State Grant - S.F. Library]**Supervisor McGoldrick**

Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of \$5,958,841 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the renovation and expansion of the Richmond/ Senator Milton Marks Branch Library.

Question: Shall this Resolution be ADOPTED?

18. 050694 [Accept - Expend State Grant - S.F. Library]
Supervisors Sandoval, Elsbernd
Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of \$3,751,943 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the construction of the new Ingleside Branch Library.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Mirkarimi

19. 050745 [Water Rates]
Mayor
Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco.
(Fiscal impact.)
(Supervisor Mirkarimi dissenting in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

20. 050724 [Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]
Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 050725 [Alabama and 18th Streets Affordable Housing Special Use District]
Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 041741 [Castro Street and Upper Market Neighborhood Commercial Districts – Exemption of certain entertainment permits from the conditional use process]
Supervisor Dufty
Ordinance amending the San Francisco Planning Code by amending Section 715.48 and Section 721.48 to provide that existing bars in the Castro Street and Upper Market Neighborhood Commercial Districts will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 050352 [Supporting State Legislation AB 781]
Supervisors Peskin, Ammiano, Daly, McGoldrick
Resolution urging the California State Legislature to approve Assembly Bill 781, introduced by Assemblyman Mark Leno.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole**

24. 050776 [Hearing - 6 Month Extension of Interim Moratorium on Medical Cannabis Dispensaries]
Hearing to consider the possible adoption of an urgency ordinance approving a 6 month extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.
(Clerk of the Board)

5/10/2005, HEARD AT PUBLIC HEARING. Continued to May 17, 2005

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

25. 050773 [Zoning - 6 Month Extension of Interim Moratorium on Medical Cannabis Dispensaries]
Supervisor Mirkarimi
Urgency ordinance approving a 6-month extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

5/10/2005, CONTINUED AS AMENDED ON FINAL PASSAGE. Continued to May 17, 2005

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

26. 050664 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2506 Union Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 14, 2005 (Case No. 2004.1201E), exempting from environmental review under CEQA Guidelines Section 15301(e) and 15331, the proposal to demolish the one-story garage located in the front setback area and add an approximately 1,953-square foot horizontal addition in the rear of the single-family building. The proposed addition would result in an approximately 5,876-square foot, two-story over garage single-family residential structure. The height of the structure would not change. The proposed alteration would include major interior alterations and a new two-car tandem-parking garage in the basement of the existing structure. The project would provide the required 45% rear yard requirement, which is approximately 34'-9". The existing building on the project site was constructed around 1898 and is listed in HERE TODAY, and as such, is considered an historical resource under the California Environmental Quality Act (CEQA). The existing building is also listed in the 1976 Architectural Survey conducted by the San Francisco Planning Department.

The 4,812-square foot site is located at 2506 Union Street (Lot 05, Assessor's Block 0945), 25 feet from the northwest corner of Union and Scott Streets in the Marina Neighborhood. The site is zoned RH-1 (Residential-House, One-Family) and is within a 40-X height and bulk district. (Appellant: Jeremy Paul on behalf of Jacqueline and John McMahan.)

(Filed April 11, 2005; companion measure to Files 050665, 050666, 050667; District 2.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

27. 050665 [Affirming the categorical exemption issued for 2506 Union Street]
Motion affirming the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 050666 [Disapproving the categorical exemption issued for 2506 Union Street]
Motion disapproving the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. 050667 [Preparation of findings related to the categorical exemption issued for 2506 Union Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

30. 050658 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 755 22nd Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Department dated September 20, 2004, Case No. 2004.0338DDD, (Building Permit Application No. 2003.09.29.6087S), exempting from environmental review under Section 101.1, the proposal to construct a 3-story horizontal addition at the rear of the 3-story structure and to add a dwelling unit at the ground floor level as reviewed by the Commission on September 9, 2004. Planning Commission failed to pass a motion, therefore the item was approved as proposed.

The project is located at 755 22nd Street, Lot 14 in Assessor's Block 1665. (Appellants: Camille Hamilton and David R. Pating).

(Filed April 11, 2005; companion measure to Files 050659, 050660, 050661; District 1.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

31. 050660 [Disapproving the categorical exemption issued for 755 22nd Avenue]
Motion disapproving the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

32. 050659 [Affirming the categorical exemption issued for 755 22nd Avenue]
Motion affirming the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

33. 050661 [Preparation of findings related to the categorical exemption issued for 755 22nd Avenue]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Budget and Finance Subcommittee at a Rescheduled Meeting on Thursday, May 12, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, May 17, 2005.

34. 050682 [Bond Sale of California Academy of Sciences Improvement Bonds]

Supervisor McGoldrick

Resolution authorizing and directing the sale of not to exceed \$79,370,000 General Obligation Bonds (California Academy of Sciences Improvement Bonds, 2000), Series 2005E; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

35. 050732 [Steinhart Aquarium General Obligation Bond Issuance]

Supervisor McGoldrick

Resolution providing for the issuance of not to exceed \$29,245,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Steinhart Aquarium Improvement Bonds, 1995); authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

36. 050733 [Bond Sale of Steinhart Aquarium Improvement Bonds]
Supervisor McGoldrick
Resolution authorizing and directing the sale of not to exceed \$29,245,000 General Obligation Bonds (Steinhart Aquarium Improvement Bonds, 1995), Series 2005F; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

37. 050734 [Appropriate bond sale proceeds from the 1995 Steinhart Aquarium Bond and 2nd series sale of the 2000 Academy Facility Improvement Bond to fund the reconstruction, renovation and other construction for the California Academy of Sciences]
Mayor
Ordinance appropriating, and placing on reserve, \$29,245,000 of 1995 Steinhart Aquarium (Series - 2005) and \$79,370,000 of 2000 Academy of Sciences (2nd Series - 2005) bond sales proceeds, for a total of \$108,615,000, to fund the reconstruction, renovation and other construction for California Academy of Sciences in Golden Gate Park for current fiscal year 2004-05.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items were considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, May 16, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, May 17, 2005.

38. 050596 [Traffic Regulation - Galvez Street between Newhall Street and Bayview Plaza Shopping Center]
Supervisor Maxwell
Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Galvez Street between Newhall Street and Bayview Plaza Shopping Center from 7:30 A.M. to 3:30 P.M. on every Saturday between May 21, 2005 through December 10, 2005.

Question: Shall this Resolution be ADOPTED?

39. 050692 [Traffic Regulation - Scott Street between Lombard and Chestnut Streets]
Supervisor Alioto-Pier
Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Scott Street between Lombard and Chestnut Streets from 1:30 P.M. to 8:15 P.M. on every Tuesday between May 24, 2005 through October 25, 2005.

Question: Shall this Resolution be ADOPTED?

40. 050693 [Temporary Sidewalk Occupancy]
Resolution allowing for occupancy of a portion of the sidewalk on the east side of Fillmore between Chestnut and Bay street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 28, 2005 through October 29, 2005.
- 4/26/2005, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute resolution bearing new title.
- Question: Shall this Resolution be ADOPTED?
41. 050674 [Liquor License, 25 Maiden Lane]
Resolution determining that the issuance of a Type 48 on sale general public premises liquor license to Cornerstone Restaurant Group LLC, for Otis located at 25 Maiden Lane, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.
- Question: Shall this Resolution be ADOPTED?
42. 050786 [Allocation of McKinney-Vento Funds]
Supervisor Daly
Resolution urging the City to keep an open dialogue with the homeless community to ensure effective decision making and to comply with requests made by the McKinney Subcontractors for the allocation and oversight of the McKinney-Vento Targeted Homeless Assistance Grant funding.
- Question: Shall this Resolution be ADOPTED?

43. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

44. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 45 through 66

45. 050760 [Final Map for a 6 Unit Residential Condominium Project - 400-402-404-406-408-410 Vallejo Street]
Motion approving Final Map of 400-402-404-406-408-410 Vallejo Street, A Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 133, and adopting findings pursuant to Planning Code Section 101.1.
(DPW Order No. 175,357; District 3.)

4/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/10/2005, CONTINUED. Continued to May 17, 2005

Question: Shall this Motion be APPROVED?

46. 050821 [Emergency Disadvantaged Business Enterprise Program - May 24, 2005, Committee of the Whole]
Supervisor Ammiano
Motion for the Board of Supervisors to convene as a committee of the whole on May 24, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

47. 050819 [Extending Early Retirement Program]
Supervisor Ma
Resolution extending Early Retirement Program for and through fiscal year 2005-06.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 050831 **[Rescind FDA Sperm Donor Recommendations]**
Supervisors Ammiano, Dufty
Resolution urging the Federal Food and Drug Administration (FDA) to rescind its policy recommendations for anonymous sperm donors which bar gay and bisexual men from being prospective donors, and further urging the FDA to adopt community recommendations to institute a non-discriminatory policy based on sexual behavior rather than sexual orientation.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
49. 050832 **[Nurses Day - May 12, 2005]**
Supervisor Ammiano
Resolution declaring May 12, 2005 as "Nurses Day" in the City and County of San Francisco.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
50. 050833 **[Ninth Taiwanese Cultural Festival]**
Supervisor Ammiano
Resolution recognizing the Ninth Taiwanese Cultural Festival in San Francisco and commending the Taiwanese American Federation of Northern California and its many volunteers on this 21st day of May, 2005, for contributing to the recognition of Taiwanese Americans in the City and County of San Francisco.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
51. 050834 **[Classified Employees Week]**
Supervisor Ammiano
Resolution supporting the negotiations in good faith between Service Employees International Union (SEIU) and United Educators of San Francisco (UESF) to ensure classified employees are adequately honored and appreciated for the invaluable service they provide to the children of San Francisco and further honoring and recognizing May 15 through May 21, 2005 as Classified Employees Week.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
52. 050835 **[AB 1612-Cigarette Pollution and Litter Prevention Act of 2005]**
Supervisor Alioto-Pier
Resolution in support of AB 1612, the Cigarette Pollution and Litter Prevention Act of 2005, by the City and County of San Francisco.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

53. 050836 [Commending Joe Matranga]
Supervisor Elsbernd
Resolution commending Joe Matranga on the celebration of his 21 years of service to The City and County of San Francisco.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
54. 050837 [Mural Awareness Month]
Supervisor Ma
Resolution recognizing May 2005 as "Mural Awareness Month" in the City and County of San Francisco.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
55. 050838 [Hydrogen Vehicle Feasibility Study]
Mayor, Supervisor Ma
Resolution urging the Department of Administrative Services to conduct a feasibility study on the use of hydrogen engine vehicles in the City vehicle fleet.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
56. 050839 [Supporting H.R. 1712 and S 880]
Supervisor McGoldrick
Resolution supporting H.R. 1712 and S880 which intends to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
57. 050840 [San Francisco Nature Education Day]
Supervisor McGoldrick
Resolution declaring May 20, 2005 as San Francisco Nature Education Day.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
58. 050841 [Commending the Women of Sister's Tea]
Supervisor Maxwell
Resolution commending the Women Extraordinary awardees of the Sister's Tea.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

59. 050842 [Extending the Asthma Task Force to June 30, 2008]
Supervisor Maxwell
Resolution extending the Asthma Task Force to June 30, 2008.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
60. 050843 [Accept-Expend Federal Grant - 2005 After-School Snack Pilot Program]
Supervisor Maxwell
Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$196,453 from the United States Department of Agriculture for the 2005 After-School Snack Pilot Program.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
61. 050844 [Accept-Expend Grant Awarded to the San Francisco Department of the Environment by Golden Gate University School of Law, Environmental Law and Justice Clinic]
Supervisors Maxwell, Peskin, Ammiano, Daly
Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of \$23,000 from the Environmental Law and Justice Clinic of the Golden Gate University School of Law for administrative and outreach services relating to a Clean Air Act educational workshop and an Environmental Justice conference to bring together governmental agencies, community groups, activists and academic institutions.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
62. 050845 [Supporting Conscientious Objection to the Iraq War and Occupation]
Supervisors Mirkarimi, Daly, McGoldrick, Ammiano
Resolution supporting Conscientious Objection to the Iraq War and Occupation.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
63. 050846 [Opposing Special Election]
Supervisor Peskin
Resolution opposing Governor Arnold Schwarzenegger's proposal for a special election.
- 5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

64. 050847 [Grant to develop and implement a local infrastructure to augment the current activities of the S.F. Childhood Lead Prevention Program]
Supervisor Peskin
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept and expend a new grant in the amount of \$52,550 from the State Department of Health Services (SDHS) Lead Hazard Reduction Compliance and Enforcement Program, to enter into an agreement for the use of these funds, and to add one 0.1 position funded through this grant; for the period of July 1, 2005, to June 30, 2006.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

65. 050848 [Accept-Expend Federal Grant - Department of Public Works]
Supervisor Peskin
Resolution authorizing the Department of Public Works to accept and expend a grant of federal Surface Transportation funds in the amount of \$2,000,000 through the Metropolitan Transportation Commission's Transportation for Livable Communities Program for Broadway Streetscape Improvements Project, Phase II, and stating the assurance of the San Francisco Department of Public Works to complete the project.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

66. 050815 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

67. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 3, 2005 through May 9, 2005, for reference by President to appropriate committee on May 17, 2005.

050852 [Ordering the vacation of a portion of Bernal Heights Boulevard]

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.
(Real Estate Department)

5/6/2005, RECEIVED AND ASSIGNED to Land Use Committee.

050855 [Settlement of Lawsuit - Klara Khaimskaya]

Ordinance authorizing settlement of the lawsuit filed by Klara Khaimskaya against the City and County of San Francisco on October 16, 2003 in San Francisco Superior Court, Case No. 425-488, entitled Klara Khaimskaya, et al., v. City and County of San Francisco, et al. and authorizing a payment of \$1,020,000.
(City Attorney)

5/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

050856 [Settlement of Lawsuit - Nydia Rosales]

Ordinance authorizing settlement of the lawsuit filed by Nydia Rosales against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-728; entitled Nydia Rosales, et al., v. City and County of San Francisco, et al.
(City Attorney)

5/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

050857 [Settlement of Lawsuit - Nancy Enciso]

Ordinance authorizing settlement of the lawsuit filed by Nancy Enciso against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on August 18, 2004, in the Superior Court of the State of California, County of San Francisco, Case No. 433 927; entitled Nancy Enciso v. The City and County of San Francisco, Hugo Aguilera, et al.
(City Attorney)

5/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 3, 2005 through May 9, 2005, for reference by President to appropriate committee on May 17, 2005.

050850 [Emergency Construction Contract]

Resolution requesting the Board of Supervisors to approve the expenditure of funds for emergency slope and drainage repair at the SFPUC Harry Tracy Water Treatment Plant, in the amount of \$2.5 million.
(Public Utilities Commission)

5/9/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050851 [Vacation of a portion of Bernal Heights Boulevard]

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Bernal Heights Boulevard west of Moultrie Street and transfer jurisdiction from the Department of Public Works to the Recreation and Park Department; setting the hearing date for all persons interested in the proposed vacation of the street vacation area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.
(Real Estate Department),

5/6/2005, RECEIVED AND ASSIGNED to Land Use Committee.

050854 [Airport Concession Lease]

Resolution approving Amendment No. 2 to the Public Locker and Over-the-Counter Baggage Storage Lease No. 95-0263 between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

5/6/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050861 [Petitions and Communications]

Petitions and Communications received from May 3, 2005 through May 9, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 17, 2005.

From concerned citizens, requesting the Hunters Point Shipwright's House at 900 Innes Avenue be given landmark status. Copy: Each Supervisor (1)

From Jacqueline McMahan, submitting opposition to categorical exemption for project at 2506 Union Street. File 050664 (2)

From Solem and Associates, concerning the alleged lack of enforcement of the "Breathing Replenishment System Ordinance" by the Department of Building Inspection and Fire Department. (3)

From Department of Human Resources, regarding compliance with Administrative Provisions of Section 23 of the Annual Appropriation Ordinance. (4)

From Office of the Mayor, submitting appointment of Ed Lee to the Office of City Administrator. Copy: Each Supervisor (5)

From Mokles & Suhail Hana, submitting request for transfer of a type 20-off sale beer and wine license from 1560 Mason Street to 57 New Montgomery Street for F-M Smokes and Wine. (6)

From Department of Public Works, submitting concerns voiced at the Southeast Community Facility Commission meetings by residents as well as through the group POWER (People Organized Worker Employee Rights) regarding the Oakdale/Palou Underground Project. (7)

From Controller, submitting fiscal year 2004-05 Nine-Month Budget Status Report. Copy: Each Supervisor (8)

From Office of the Controller, submitting report concerning the audit of the department head transition at the Fire Department. (9)

From Office of the Controller, submitting report concerning the audit of the department head transition at the Port of San Francisco. (10)

From Office of the Controller, submitting report concerning the audit of the department head transition at the Police Department. (11)

From the Alamo Square Neighborhood Association, urging the Board to adopt the proposed amendment to the Planning Code making formula retail a conditional use on Divisadero Street between Haight and Turk Street. File 050254, Copy: Land Use Committee (12)

From Department on the Status of Women, submitting names of organizations the Department would like to have membership in, fiscal year 2005-06. (13)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (14)

From Civil Service Commission, concerning resolution honoring public employees. Copy: Each Supervisor (15)

From Department of California Highway Patrol, submitting hazardous materials incidents report for April 2005. Copy: Department of Public Health, Superior Court (16)

From James Chaffee, submitting key pages from a report on the second phase of the implementation of the Pose Occupancy Evaluation. (17)

From Public Utilities Commission, regarding amended and restated long-term power sale agreement between San Francisco and the City of Turlock. File 041388 (18)

From concerned citizens, commenting on the success of the Care Not Cash program on its one year anniversary. (19)

From Gordon & Rees LLP, submitting opposition to proposed resolution regarding NOVA Knits, Inc. File 050791, Copy: Each Supervisor (20)

From Paul Koski, urging the Board of Supervisors and Board of Education to distribute Proposition H money (approved by San Francisco voters in March 2004) to each school council by a simple per capita rationing for each student. File 040336, Copy: Supervisors Ammiano, Maxwell, Ma (21)

From Planning Department, submitting report on status and regulatory actions regarding Medical Cannabis Dispensaries pursuant to Section 3 of Ordinance Number 64-05. (22)

From Metropolitan Transportation Commission, submitting the 2004 annual report for the Metropolitan Transportation Commission and its companion agencies, the Bay Area Toll Authority and the Service Authority for Freeways and Expressways. (23)

From David Dravot, requesting the City conduct a financial audit of the San Francisco Zoo's management of the \$40,000,000 in GO Bond funds provided to date prior to releasing any future funds. (24)

From Charles Pappas, submitting copy of letter sent to Supervisor Daly regarding his medical cannabis dispensary space at 935 Howard Street. File 050776, Copy: Each Supervisor (25)

From concerned citizens, submitting support for continuing the AIDS walk in Golden Gate Park. (26)

From Henry Millich, submitting opposition to spending up to \$25 million to create a barrier that "might" keep some people from jumping off the Golden Gate Bridge. Copy: Each Supervisor (27)

From Brian Wallace, concerning broken glass resulting in shards of glass falling down on pedestrians walking beneath the Hugo building at 6th and Howard Streets. Copy: Each Supervisor (28)

From SF Neighborhood Antenna-Free Union, submitting opposition to placing a wireless antenna facility on or near health care facilities. File 041518 (29)

From Ahimsa Sumchai, submitting a letter entitled "Environmental Injustice" regarding the difference in reporting asbestos in Bay View Hunters Point and Eldorado County. (30)

From Office of the Controller, submitting report concerning the performance of the Department of Aging and Adult Services. File 050751 (31)

From State Department of Child Support Services, submitting information of the provisions of Assembly Bill 2669 that affects the Child Support Program and provides local child support agencies with instructions for implementing this legislation. (32)

From Caroline Rich, commenting that Mask Italia does not have a fictitious business name. (33)

From Public Utilities Commission and the Department of the Environment, submitting the Community Choice Aggregation Draft Implementation Plan. (34)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

May 12, 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending SF Planning Code by allowing certain financial service use in SLI (Service/Light Industrial)	050739	Land Use Committee	Supervisor Daly	4/26/05	5/26/05
Ordinance amending SF Administrative Code to replace the existing fee schedule for preparation of findings of fact for assessment appeals	050740	Budget & Finance Committee	Supervisor Peskin	4/26/05	5/26/05
Ordinance creating a food security task force	050741	Rules Committee	Supervisor Maxwell	4/26/05	5/26/05
Ordinance amending Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3	050727	Land Use Committee	Building Inspection Department	5/3/05	6/2/05
Ordinance amending the Housing Code regarding mechanical ventilation of bathrooms	050728	Land Use Committee	Building Inspection Department	5/3/05	6/2/05
Ordinance amending the Plumbing Code regarding storm water drain locations and grease traps	050729	Land Use Committee	Building Inspection Department	5/3/05	6/2/05

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPARTMENT

MAY 20 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 24, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Minutes for April 26, 2005 and May 3, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 18

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Elsbernd

1. 050350 [Appropriate funds to pay for litigation fees associated with the Residential Hotel Unit Conversion/Demolition Ordinance for FY2004-05]
Supervisors Peskin, Sandoval
Ordinance appropriating \$300,000 from the Residential Preservation Fund Account, within the Building Inspection Fund's Repair & Demolition subfund, to pay for litigation fees associated with the defense of the Residential Hotel Unit Conversion and Demolition Ordinance for Fiscal Year 2004-2005.
(Fiscal impact.)

5/17/2005, PASSED ON FIRST READING. Supervisor Sandoval requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

2. 050735 [Appropriate bond sale proceeds from the sale of 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library facilities]
Mayor, Supervisor Sandoval
Ordinance appropriating, and placing on reserve, \$35,801,823 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library facilities for current fiscal year 2004-05.
(Fiscal impact.)

5/17/2005, PASSED ON FIRST READING. Supervisor Sandoval requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Daly, Elsbernd

3. 050736 [Appropriate General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities and properties]
Mayor, Supervisors Elsbernd, Sandoval
Ordinance appropriating, and placing on reserve, \$7,505,000 in General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities, properties and all other works (as part of 1997 Proposition C) for current fiscal year 2004-05.
(Fiscal impact.)

5/17/2005, PASSED ON FIRST READING. Supervisors Elsbernd and Sandoval requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

4. 050734 [Appropriate bond sale proceeds from the 1995 Steinhart Aquarium Bond and 2nd series sale of the 2000 Academy Facility Improvement Bond to fund the reconstruction, renovation and other construction for the California Academy of Sciences]
Mayor, Supervisors Elsbernd, Sandoval
Ordinance appropriating, and placing on reserve, \$29,245,000 of 1995 Steinhart Aquarium (Series - 2005) and \$79,370,000 of 2000 Academy of Sciences (2nd Series - 2005) bond sales proceeds, for a total of \$108,615,000, to fund the reconstruction, renovation and other construction for California Academy of Sciences in Golden Gate Park for current fiscal year 2004-05.
(Fiscal impact.)

5/17/2005, PASSED ON FIRST READING. Supervisors Elsbernd and Sandoval requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

5. 050743 [Grant of Federal Funds - MTA]
Supervisor Ammiano
Resolution authorizing the Municipal Transportation Agency to accept and expend \$744,000 of Federal Building Fund grant funds from the U.S. General Services Administration for the Municipal Railway's Radio System Replacement Project, excluding administrative overhead costs.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

6. 050166 **[Liquor License Transfer, 2118 Union Street]**

Resolution determining that the transfer of a type 20 off-sale beer and wine license to Christina Lundberg and Jim Adams, for WineStyles located at 2118 Union Street from 335 Powell Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

7. 050498 **[Three-Way Stop at Frederick and Willard Streets]**

Supervisor McGoldrick

Resolution urging Department of Parking and Traffic to implement a three-way stop at Frederick and Willard Streets.

Question: Shall this Resolution be ADOPTED?

8. 050543 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Faxon Avenue, Elmwood Way and Southwood Drive, making this uncontrolled five-legged intersection an All-Way STOP;

Kansas Street at Vermont/22nd Street, making this uncontrolled intersection an All-Way STOP; Persia Avenue and London Street, stopping Persia Avenue at London Street making this intersection an All-Way STOP; and,

17th Street and Alabama Street, stopping 17th Street at Alabama Street, making this intersection an all-way STOP.

(Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

Question: Shall this Resolution be ADOPTED?

9. 050544 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR PARKING – ESTABLISH

Andover Street, east side, from the southern property line of 717 Andover Street to the northern property line of 779 Andover Street.

NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

Sheridan Street, south side, between 9th and 10th Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

27th Street, north side, between the driveways of 318 and 322 - 324 27th Street (9 foot zone, accommodating 2 motorcycle parking spaces).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Shotwell Street, east side, in front of 337-339 Shotwell Street (18 foot zone, accommodating 6 motorcycles).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

York Street, east side, between 19th and 20th Streets (700 block); and,
Rhode Island Street, both sides, between 24th and 25th Streets (1300 block).

TOW-AWAY NO STOPPING, 7 AM TO 7 PM, MONDAY THROUGH SATURDAY - RESCIND**TOW-AWAY NO STOPPING ANYTIME - ESTABLISH**

Harrison Street, south side, from Main Street to 35 feet westerly

NO PARKING ANYTIME – ESTABLISH

Main Street, west side, from Harrison Street to 22 feet northerly.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY – RESCIND

Front Street, east side, from Clay Street to 30 feet southerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Scott Street, east side, from the north crosswalk at Grove Street to 16 feet southerly.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Bush Street, north side, from Mason Street to Kearny Street

NO PARKING ANYTIME - RESCIND

Bush Street, north side, from St. George Alley to Kearny Street (maintaining 7 AM to 9 AM, Tow-Away Lane); and,

Persia Avenue, north side, from London Street to 20 feet westerly (in conjunction with STOP sign changes).

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Bush Street, south side, between Grant Avenue and Kearny Street
(Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

Question: Shall this Resolution be ADOPTED?

10. 050545 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE TURN LANES - RESCIND

Beale Street, southbound, at Mission Street;
Battery Street, southbound, at Clay Street;
Clay Street, eastbound, at Battery Street; and,
Kearny Street, northbound, at Bush Street.

NO TURN ON RED, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY – RESCIND

NO TURN ON RED, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
8th Street at Bryant Street

LEFT LANE MUST TURN LEFT - ESTABLISH

Franklin Street, northbound, at Bay Street
(Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

Question: Shall this Resolution be ADOPTED?

11. 050555 [Traffic Regulations - Bike Lanes on Lake Street]**Supervisor McGoldrick**

Resolution enacting bike lanes on Lake Street.

BIKE LANES - ESTABLISH

Lake Street, both directions, between Arguello Boulevard and 3rd Avenue.

(3/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

12. 050564 [Liquor License, 740 Clementina Street]

Resolution determining that the issuance of a type 20 off-sale beer and wine license to Peter W. Langenstein for Peloton Services, Inc., located at 740 Clementina Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

13. 050618 [Liquor License, 1327 Polk Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to William Bigelow, for S.N.O.B. located at 1327 Polk Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

14. 041741 [Castro Street and Upper Market Neighborhood Commercial Districts – Exemption of certain entertainment permits from the conditional use process]

Supervisor Dufty

Ordinance amending the San Francisco Planning Code by amending Section 715.48 and Section 721.48 to provide that existing bars in the Castro Street and Upper Market Neighborhood Commercial Districts will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; adopting findings.

5/17/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

15. 050662 [Appointment - Urban Forestry Council]

Resolution appointing Lena Miller, term ending April 5, 2007, to the Urban Forestry Council.

Lena Miller, succeeding Dhaya Lakshminarayanan, term expired, seat 8, must be a representative of the community, for the unexpired portion of a two-year term ending April 5, 2007.

Question: Shall this Resolution be ADOPTED?

16. 050806 [Appointment - Animal Control and Welfare Commission]

Resolution appointing Gerald Yeager, William Hamilton, Sherri Franklin and Richard Schulke, terms ending April 30, 2007, to the Animal Control and Welfare Commission, residency requirement waived.

Gerald Yeager, succeeding Elissa Eckman, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007.

William Hamilton (residency requirement waived), succeeding Chin Chi, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007.

Sherri Franklin, succeeding herself, term expired, seat 5, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007.

Richard Schulke, succeeding Susan Kendall Wheeler, term expired, seat 6, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007.

Question: Shall this Resolution be ADOPTED?

17. 050809 [Appointment - Bicycle Advisory Committee]

Resolution appointing Andrew Bindman, term ending November 19, 2006, to the Bicycle Advisory Committee.

Andrew Bindman, succeeding Andrew Thornley, resigned, seat 1, must be a nominee of District 1 Supervisor. The member must serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

18. 050813 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Bruce Wolfe and Nicholas Mueller, terms ending April 27, 2006 and Marjorie Ann Williams, term ending April 27, 2007, to the Sunshine Ordinance Task Force.

Bruce Wolfe, succeeding Garrett Jenkins, resigned, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2006 (can be designated for a disabled person).

Nicholas Mueller, succeeding Alexandra Nickliss, resigned, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2006.

Marjorie Ann Williams, succeeding herself, term expired, seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2007 (can be designated for a disabled person).

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

19. 050912 [Adopting findings related to affirming the categorical exemption for 2506 Union Street]
Motion adopting findings affirming the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
(Companion measure to Files 050664, 050665, 050666, 050667.)
- 5/18/2005, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?
20. 050913 [Adopting findings related to affirming the categorical exemption for 755-22nd Avenue]
Motion adopting findings affirming the determination by the Planning Department that the 755-22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 5/18/2005, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Mirkarimi

21. 050745 [Water Rates]
Mayor
Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco.
(Fiscal impact.)
(Supervisor Mirkarimi dissenting in committee.)
- 5/17/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Amunio, Daly, Elsbernd, Ma, McGoldrick

22. 050329 [Parking Permits]
Ordinance amending San Francisco Traffic Code sections 308, 308.1, 308.3, and repealing section 314, to: clarify the requirements for issuance of Residential Parking Permits; increase parking permit fees for Residential Parking Permits and Health Care Worker Permits to sixty dollars (\$60) if purchased in the first six months of the permit year or thirty dollars (\$30) if purchased in the last six months of the permit year; increase Educational Institution Permits to sixty dollars (\$60) for each permit regardless of the date of purchase or repurchase; increase temporary parking permit fees for Residential Parking Permits to twenty dollars (\$20) for each week for up to four weeks or forty dollars (\$40) for a four week permit; increase visitor parking permit fees for Residential Parking Permits to five dollars (\$5) per day, twenty dollars (\$20) for two consecutive weeks, thirty dollars (\$30) for four consecutive weeks, forty dollars (\$40) for six consecutive weeks, or fifty dollars (\$50) for eight consecutive weeks; and, delete previous permit fee amounts.
(Municipal Transportation Agency)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
23. 050371 [Contractor Permit Fee]
Ordinance amending San Francisco Traffic Code section 202.C to add a provision that contractor permits may be issued for six consecutive months that begin on December 1st, to delete a provision that no more than five additional contractor permits may be issued to any contractor who is not eligible to apply for exclusive temporary use of parking meter zones, and to increase the contractor parking permit fee from \$325 to \$500 if purchased in the first six months of the year and from \$225 to \$250 if purchased in the last six months of the permit year.
(Municipal Transportation Agency)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
24. 050372 [Parking Fine Penalty Schedule]
Ordinance amending San Francisco Traffic Code section 132 to increase penalties for various parking related violations, and to correct the penalties for Vehicle Code sections 22523A and 22523B by decreasing the penalties to \$200 and section 22526B by decreasing the penalty to \$100.
(Municipal Transportation Agency)
(Supervisor Daly Dissenting in Committee)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Elsbernd, Ma, McGoldrick

25. 050370 **[Parking Meter Rates]**
Ordinance amending the San Francisco Traffic Code by amending Section 203.1 to increase the rate for parking meters in Parking Meter Area Number One to three dollars (\$3.00) an hour, by amending Sections 203.2 and 203.4 to increase the rate for parking meters in Parking Meter Areas Numbers Two and Four to two dollars and fifty cents (\$2.50) an hour, and by amending Section 203.3 to increase the rate for parking meters in Parking Meter Area Number Three to one dollar and fifty cents (\$1.50) an hour.
(Municipal Transportation Agency)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

26. 050215 **[Revision of the recourse hearing procedures for public work prevailing wage violations]**
Supervisors Ammiano, Peskin
Ordinance amending San Francisco Administrative Code Section 6.22, at subsection 6.22(E)(8)(c), to revise the recourse hearing procedures for contractors challenging forfeitures for prevailing wage violations on public work projects.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 041766 **[Airport Concession Lease]**
Resolution approving Amendment No. 5 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

28. 050554 [Traffic Regulations - Potrero Avenue Corridor]

Supervisor Ammiano

Resolution enacting and rescinding various parking and traffic regulations on the Potrero Avenue Corridor including lane reductions, crosswalk improvements, north and south bound bicycle lanes and a northbound bus lane at various locations on Potrero Avenue, between 17th and 25th Streets.

BIKE LANES - ESTABLISH

Potrero Avenue, northbound and southbound from 17th Street to 50 feet south of 25th Street;

BUS, TAXI AND RIGHT TURN ONLY LANE - ESTABLISH

Potrero Avenue, northbound, from 220 feet south of 23rd Street to 100 feet north of 22nd Street;

NO LEFT TURNS - ESTABLISH

Potrero Avenue, northbound, at 23rd Street;

Potrero Avenue, northbound, at 25th Street;

Potrero Avenue, southbound, into San Francisco General Hospital driveway south of 21st Street;

NO LEFT TURNS - RESCIND

Potrero Avenue, southbound, at 17th Street;

NO LEFT TURNS 3:30 PM TO 7 PM MONDAY THROUGH FRIDAY - RESCIND

Potrero Avenue, northbound, at 24th Street.

NO U-TURNS - ESTABLISH

Potrero Avenue, southbound, at 22nd Street;

Potrero Avenue, northbound, at 22nd Street.;

TOW-AWAY, NO STOPPING ANY TIME - ESTABLISH

Potrero Avenue, east side, from 50 feet south of 23rd Street to 23rd Street;

Potrero Avenue, east side, from 23rd Street to the existing bus bulb, 310 feet north of 23rd Street;

Potrero Avenue, east side from 50 feet south of 22nd Street to 22nd Street;

Potrero Avenue, east side, from 22nd Street north to 160 feet north of 22nd Street.

TOW-AWAY, NO STOPPING 7 AM - 9 AM and 4 PM - 6 PM, MONDAY - FRIDAY - ESTABLISH

23rd Street, north side, from Potrero Avenue to 75 feet easterly;

23rd Street, south side, from Potrero Avenue to 52 feet westerly;

CROSSWALK CLOSURE

Potrero Avenue, north side at 23rd Street (western leg);

MIDBLOCK CROSSWALK - ESTABLISH

Potrero Avenue, approximately 360 feet north of the 23rd Street (west) intersection.

Question: Shall this Resolution be ADOPTED?

29. 050547 [Soil Boring and Well Regulation Ordinance]**Supervisor Peskin**

Ordinance amending the San Francisco Health Code by deleting Section 659 and adding a new Article 12B to establish a regulatory program for the construction, modification, operation, and destruction of soil borings and wells, including both non-production and water wells, to protect the public health and safety and the integrity of the City's groundwater resources by requiring anyone who proposes to construct, modify, operate, maintain or destroy a well or soil boring to obtain a permit; amending Section 249.13 of the San Francisco Business and Tax Regulations Code to set forth the annual fee for the permit; and amending Section 3101 of the Health Code to renumber the reference to section 659 of the Health Code to Article 12B.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 050592 [Supporting non-discrimination in health care services for Transgender people]**Supervisors Dufty, Ammiano, McGoldrick**

Resolution supporting non-discrimination in health care services for Transgender people, and endorsing AB 1586.

4/12/2005, REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Resolution be ADOPTED?

31. 050786 [Allocation of McKinney-Vento Funds]**Supervisor Daly**

Resolution urging the City to keep an open dialogue with the homeless community to ensure effective decision making and to comply with requests made by the McKinney Subcontractors for the allocation and oversight of the McKinney-Vento Targeted Homeless Assistance Grant funding. (Supervisor Ma Dissenting in Committee.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Dufty

32. 050573 [Deleting References to Traffic Zone No. 1]

Ordinance repealing San Francisco Traffic Code sections 3.6, 10, 20, 35, 88, and 89, and amending San Francisco Police Code section 1320.10, to delete references to Traffic Zone No. 1. (Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

33. 050349 [Bicycle Plan Policy Framework adoption and related General Plan amendments]
Mayor, Supervisors McGoldrick, Mirkarimi, Maxwell
Ordinance amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan: Policy Framework; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; adopting the Bicycle Plan: Policy Framework; and authorizing official acts in connection thereto.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
34. 050432 [Grant of Federal Funds - MTA]
Mayor
Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$9,200,000 of Federal Formula Section 5307 Capital Assistance for the purchase of an Overhead Lines Maintenance Facility and for required renovations to the property, excluding administrative overhead costs.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

35. 050816 [Confirming Edwin Lee as City Administrator]
Mayor
Motion confirming Edwin Lee as City Administrator.
- Question: Shall this Motion be APPROVED?
36. 050820 [Off-Site Government Audit and Oversight Committee Meeting on June 18, 2005, 2:00 p.m. to 4:00 p.m., at the California State Building Auditorium, 455 Golden Gate Avenue]
Supervisors Peskin, Mirkarimi
Motion scheduling a special off-site meeting of the Government Audit and Oversight Committee on Saturday, June 18, 2005, 2:00 p.m. to 4:00 p.m., at the California State Building Auditorium, 455 Golden Gate Avenue, for the purpose of receiving community input regarding the status of Laguna Honda Hospital.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

37. 050823 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]
Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

38. 050822 [Reenacting a Disadvantaged Business Enterprise Program]
Supervisor Ammiano
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

39. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

40. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 41 through 60

41. 050872 [Declaring May 2005, Elder Abuse Awareness Month]
Supervisor Ma
Resolution declaring May 2005 to be "Elder Abuse Awareness Month" in the City and County of San Francisco.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 050873 [Declaring May 2005, Hepatitis A awareness Month]
Supervisor Ma
Resolution declaring May 2005 to be "Hepatitis Awareness Month" in the City and County of San Francisco.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 050874 [Commending Dave Garrison]
Supervisor Maxwell
Resolution commending Dave Garrison for his commitment to San Francisco and for his years of service on behalf of his family and the community.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 050875 [Commending Saint Ignatius College Preparatory on its 150 years of Jesuit Education]
Supervisors Elsbernd, Sandoval, Alioto-Pier, Ma
Resolution commending Saint Ignatius College Preparatory on its 150 years of Jesuit Education in San Francisco.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

45. 050884 [Congratulating S.F. Archbishop William Levada on his appointment as the new prefect of the Congregation for the Doctrine of Faith]
Supervisor McGoldrick
Resolution congratulating San Francisco Archbishop William Levada on his appointment as the highest-ranking American in Catholic church history, the prefect of the Congregation for the Doctrine of Faith.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 050885 [Urging Municipal Transportation Agency to make all enrolled San Francisco High School students eligible for their youth rate]
Supervisor Dufty
Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to make all enrolled San Francisco High School students eligible for their youth rate and to allow all current student identification cards as valid forms of identification.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 050888 [Arts Task Force Appointment]
Supervisor Ammiano
Resolution adding a non-voting member from the Film Commission who shall be appointed by the Mayor of San Francisco.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 050890 [Commending the SF Food Bank, St. Anthony Foundation, and Project Open Hand]
Supervisors Maxwell, Ammiano, Alioto-Pier, Elsbernd, Ma, McGoldrick, Dufty, Peskin, Mirkarimi
Resolution commending the San Francisco Food Bank, St. Anthony Foundation and Project Open Hand as well as more than 450 programs that distribute food in recognizing June 7, 2005 As National Hunger Awareness Day in San Francisco.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 050892 [Public Scoping Meeting - 55 Laguna Street]
Supervisors Mirkarimi, Dufty, Daly
Resolution urging the Planning Department to hold a public scoping meeting for the environmental review of the proposed project at 55 Laguna Street Housing Project.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

50. 050893 [Conform Environmental Guidelines to Transit First Policy]
Supervisor Mirkarimi
Resolution urging the Planning Commission to set policy directing the Environmental Review Officer to modify local Environmental Review guidelines to remove the requirement that an Environmental Impact Report is required when a lane of automobile traffic is replaced with a bicycle or pedestrian facility under certain circumstances.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
51. 050894 [Vigilante Border Patrol]
Supervisors McGoldrick, Maxwell, Dufty, Sandoval
Resolution condemning Governor Schwarzenegger's support of the Minuteman Project and urging the State Attorney General as well as the State Legislature to take any necessary actions to prevent any form of vigilante patrol at the California-Mexico border.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
52. 050895 [Opposing the Reauthorization of Patriot Act Provisions]
Supervisor McGoldrick
Resolution urging Senator Barbara Boxer, Senator Dianne Feinstein and U.S. Representative Nancy Pelosi to oppose any attempts to expand the Patriot Act, to prevent the reauthorization of any Patriot Act provisions, and to allow Patriot Act provisions to expire.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
53. 050896 [Endorsing and expanding MTA "Class Pass" program by offering discount Muni Fast Passes to students/staff/faculty of local colleges and universities]
Supervisors McGoldrick, Elsbernd
Resolution endorsing the expansion of the Municipal Transportation Agency's (MTA) "Class Pass" program by developing more fare-free transit partnerships with San Francisco colleges and universities.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
54. 050898 [Endorsing State Legislation AB 749]
Supervisor Peskin
Resolution endorsing Assembly Bill 749, introduced by Assemblyman Mark Leno, and urging the California State Legislature and the Governor of California to support this bill.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

55. 050899 [Endorsing State Legislation AB 852]
Supervisor Peskin
Resolution endorsing Assembly Bill 852, introduced by Assemblyman Mark Leno, and urging the California State Legislature and the Governor of California to support this bill.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
56. 050900 [Sari Jo Wade Day]
Supervisor Peskin
Resolution declaring June 10, 2005 Sari Jo Wade Day in the City and County of San Francisco in honor of her extraordinary career and dedicated service toward improving the public welfare of the children and families of this City.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
57. 050889 [Rejecting the MTA Budget]
Supervisors Daly, Ammiano, Mirkarimi
Motion rejecting the Municipal Transportation Agency's proposed FY 2005-2006 budget, finding that the public was deprived access to the MTA budget decision making process, requesting the MTA Board of Directors act on its budget at its next meeting, and urging the MTA to present a revised budget that does not increase commuter fares or lay off transit operators by June 16th.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
58. 050886 [Committee of the Whole - Health service reductions (Bielenson Hearing) June 21, 2005 at 3:00 p.m.]
Supervisor Ammiano
Motion scheduling the Board to sit as a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 21, 2005 at 3:00 p.m.
- 5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
59. 050904 [Final Map for Blocks 9, 9A, 10 and 10A, Planned Development, Mission Bay South]
Motion approving Final Map, Planned Development, Mission Bay (Blocks 9, 9A, 10 and 10A), a five-lot subdivision, being a Planned Development of Assessor's Block 8719, Lot 1 and a merger and resubdivision of Block 8720, lots 1 and 11; approving a public improvement agreement and easements related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works and Public Protection Committee)
- 5/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

60. 050897 [Adopting findings related to the final subdivision map disapproval for property located at 400-410 Vallejo Street]
Supervisor Peskin
Motion adopting findings related to the disapproval of a final subdivision map for a 6-unit condominium subdivision for property located at 400-401 Vallejo Street (Assessor's Block 133, Lot 11).

5/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

61. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 10, 2005 through May 16, 2005, for reference by President to appropriate committee on May 24, 2005.

050862 [Rincon Hill Area Plan Amendments]

Ordinance amending the San Francisco General Plan by amending the Rincon Hill Area Plan, the Urban Design Element, the Recreation and Open Space Element, the Downtown Plan, the South of Market Area Plan, and the Land Use Index to conform them with proposed Rincon Hill Downtown Residential District; adopting environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1.
(Planning Department)

5/9/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee.

050863 [Zoning Map Amendments - Rincon Hill Downtown Residential District]

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; adopting findings.
(Planning Department)

5/9/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/23/2005.

050864 [Downtown Residential Districts]

Ordinance amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.
(Planning Department)

5/9/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/23/2005.

050865 [Imposing development impact fees for the provision of necessary community infrastructure in DTR Districts]

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees on residential development in the DTR districts to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure. (Planning Department)

5/9/2005, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 10, 2005 through May 16, 2005, for reference by President to appropriate committee on May 24, 2005.

050858 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Shotwell Street, west side, between the driveways of 908 and 910 Shotwell Street (a 13-foot zone accommodating 2 motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hillpoint Street, both sides, north of Parnassus Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Paulding Street, north side, from Arago Street to 115 feet westerly.

2-HOUR PARKING, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

Bayshore Boulevard, west side, from 130 feet to 333 feet north of Costa Street (in front of addresses 220 - 232 Bayshore Boulevard).

1-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

5th Street, west side, between Brannan and Bryant Streets.

NO PARKING ANYTIME - ESTABLISH

Vidal Street, both sides, between the north and south intersections with Higuera Avenue.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Valencia Street, west side, between 26th Street and Cesar Chavez Street.

1-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND

Capitol Avenue, both sides, from Ocean Avenue to DeMontefort Avenue.

2-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Capitol Avenue, east side, from Ocean Avenue to DeMontefort Avenue.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**PARKING METER AREA NO.1 - ESTABLISH**

Mission Street, south side, between Beale Street and Main Street

ANGLE PARKING (45 DEGREES) - RESCIND**ANGLE PARKING (60 DEGREES) - ESTABLISH**

Ulloa Street, south side, from 33rd Avenue to 110 feet westerly (converts angle parking from 45 degrees to 60 degrees, gaining three parking spaces).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH**

25th Street at Kansas Street, along the western terminus.

(Parking and Traffic Department)

(5/10/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2999.)

5/10/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050859 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Front and Vallejo Streets, stopping Front Street at Vallejo Street, making this intersection an All-Way STOP;

Alabama and Mariposa Streets, stopping Mariposa at Alabama Street, making intersection an All-Way STOP;

Manchester and Stoneman, stopping Manchester at Stoneman, establishing two-way STOP control; Quintara and 15th Avenue, stopping eastbound Quintara at 15th Avenue and Fanning Way, making this intersection an All-Way STOP; and,

24th and York Streets, stopping 24th Street at York Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(5/10/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2999.)

5/10/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050860 [Settlement of Claim - John Yee]

Resolution approving the settlement of the unlitigated Claim No. 05-00923 filed by John Yee on September 15, 2004, against the City and County of San Francisco for \$46,500.00.

(City Attorney)

5/16/2005, RECEIVED AND ASSIGNED to Rules Committee.

050903 [Settlement of Claim - Food Service & Management LP]

Resolution approving the settlement of the unlitigated Claim No. 05-02866 filed by Food Service & Management LP on March 8, 2005, against the City and County of San Francisco for \$25,038.57.

(City Attorney)

5/16/2005, RECEIVED AND ASSIGNED to Rules Committee.

050905 [Acceptance of Gift - Police Department's K-9 Unit]

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of fifty thousand (\$50,000.00) to use for the betterment of dogs in the Department's K-9 Units.

(Police Department)

5/16/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050911 [Petitions and Communications]

Petitions and Communications received from May 10, 2005 through May 16, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 24, 2005.

From Camille Hamilton, submitting appellant's brief regarding Categorical Exemption granted by the Planning Department for 755 22nd Avenue. File 050658, Copy: Each Supervisor (1)

From Reuben & Junius LLP, submitting response to appeal of Categorical Exemption for property located at 755 22nd Avenue. File 050658, Copy: Each Supervisor (2)

From Mabel Teng, concerning her resignation as San Francisco Assessor at the close of business on May 13, 2005. Copy: Each Supervisor (3)

From Clerk of the Board, submitting notice that the Clerk of the Board's Office has received a report from the Civil Grand Jury regarding the San Francisco Ethics Commission's budgeting and staffing issues, released on May 12, 2005. Copy: Each Supervisor (4)

From Planning Department, submitting response to the appeal of General Rule Exclusion for 2506 Union Street. Copy: Each Supervisor (5)

From Clerk of the Board, submitting notice that the Clerk of the Board's Office has received a report entitled "An Opportunity for Reform" from the Civil Grand Jury regarding the new chief of the Juvenile Probation Department, released on May 10, 2005. (6)

From Mark Rennie, submitting request to transfer a Type 42 (beer and wine) on-sale general public premises license from 1449 Lombard Street to 377 Hayes Street for David Bass and Mi Hui Bass dba Sugar Lounge for a Type 48 liquor license. (7)

From Department of Public Health, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Safeway Inc. and Cala Foods Inc. for the continued purchase of food and food vouchers. (8)

From the Department of Public Works, submitting notice of approval for a Minor Sidewalk Encroachment Permit at 11 Castenada Avenue. (9)

From Human Services Agency, regarding the closure of two homeless programs, A Man's Place (shelter) and South Beach Homeless Resources Center. Copy: Each Supervisor (10)

From Supervisor Daly, submitting copy of letter sent to the Mayor's Budget Director concerning the possible renegeing of a Board of Supervisors enhancement to the Mission Neighborhood Resource Center. Copy: Each Supervisor (11)

From the Risk Management Program, submitting a brief recap of the nature of indemnity agreements and supporting documentation filed in the Risk Management office for the quarter period of January through March 2005. (12)

From Quickdraw Permit Consulting, regarding appeal of exemption from environmental review for 2506 Union Street. File 050664, Copy: Each Supervisor (13)

From Employees' Retirement System, submitting an actuarial report of the cost and effect which will result from a one-year extension of the Early Retirement Program. File 050819, Copy: Each Supervisor (14)

From SF Building and Construction Trades Council, submitting notice that the SF Building and Construction Trades Council has appointed Michael Theriault as Secretary-Treasurer. (15)

From Office of the Controller, submitting audit of the revolving fund maintained by the Department on the Status of Women. (16)

From Gordon and Rees LLP, submitting opposition to the recently passed resolution regarding NOVA Knits. File 050791, Copy: Each Supervisor (17)

From Planning Department, submitting notice that the Planning Commission adopted amendments to the Planning Code that change the operational definition of massage establishments and requires conditional use authorization for new massage establishments. File 050176 (18)

From Office of the Controller, submitting cost information and supplementary data provided by the Board of Supervisors on the proposed contract for budget analyst services for the Board of Supervisors. (19)

From Department of Public Works, concerning status of repair of a large crack in the center of Grove Street between Octavia and Gough Streets. (Reference No. 20050419-001) Copy: Supervisor Mairkarimi (20)

From Department of Public Works, concerning status of repair of a pothole at 972 Hayes Street, between Steiner and Fillmore Streets. (Reference No. 20050426-005) Copy: Supervisor Mirkarimi (21)

From concerned citizens, submitting opposition to proposal to charge 17cents for each bag provided at grocery stores. (22)

From Department of Public Works, concerning status of repair of a pothole in front of 1155 Hayes Street. (Reference No. 20050426-004) Copy: Supervisor Mirkarimi (23)

From Department of Public Works, concerning status of repair of a pothole at the intersection of Fillmore and Hayes Streets. (Reference No. 20050419-002) Copy: Supervisor Mirkarimi (24)

From Department of Human Services, submitting copy of letter sent to Supervisor Daly regarding development of an internal procedure that would prioritize CAAP recipients who are long-term shelter residents for housing opportunities that come available through Care Not Cash. Copy: Supervisors Dufty, McGoldrick, Ma (25)

From Roland Salvato, submitting copy of letter sent to Planning Department alleging the inability of Planner Nelson to adhere to the Planning Code and process in the administration of the 899 North Point project. (26)

From concerned citizens, urging the Board to support a resolution commending the participants who contributed to the successful bid to host the stem cell institute in San Francisco. (27)

From Community Alliance of Disability Advocates, endorsing resolution regarding long term care in regard to the rebuilding of Laguna Honda Hospital. (28)

From State Department of Child Support Services, regarding the County Funds Detail Survey. (29)

From Department of Aging and Adult Services, announcing the official launch of the Network of Support for Community Living www.sfnscf.net web site on May 17, 2005. (30)

From Deborah Masters, submitting support for appeal of Categorical Exemption from Environmental Review for 2506 Union Street. File 050664, Copy: Each Supervisor (31)

From Lloyd Schloegel, commenting on proposal to extend the interim-zoning moratorium for 6 months throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation. (32)

From Lloyd Schloegel, submitting opposition to proposed Redevelopment Plan for the Transbay Redevelopment Project Area. File 050770, Copy: Each Supervisor (33)

From concerned citizens, commenting on the City Controller's 2005 City Survey giving San Francisco a C+ for city services. (34)

From Peter Warfield, submitting copy of his letter printed in the "Berkeley Daily Planet" newspaper regarding radio-frequency identification technology. Copy: Supervisors Ammiano, Daly, Elsbernd (35)

From Department of Public Health, submitting notice that the year-to-date revenues at SFGH and LHH are in excess of budget and are insufficient to cover the annual projected salary deficit for the Department. As a result the Department has requested a supplemental appropriation later in the fiscal year, using this revenue to fund expenditure deficits. This supplemental appropriation is fully funded by additional revenues and no additional General Funds will be requested. (36)

Number not used. (37)

From Presidio Trust, submitting opposition to proposed closure of the Presidio Child Development Center at the Presidio. (38)

From Susan Hevrdejs, submitting request that Grupo de la Comida be put back into the budget as an addback to the Department of Human Services budget. Copy: Supervisors Ammiano, Daly, Elsbernd (39)

From the Port, submitting support for AB 749 which protects local Dungeness crab resources. File 050351, Copy: Each Supervisor (40)

From the Port, submitting support for AB 852 which will modify Section 1190 of the California Harbors and Navigation Code to allow the use of funds collected for a new pilot vessel acquisition to also be used to extend the service life of existing pilot vessels. Copy: Each Supervisor (41)

From Spencer Pon, submitting opposition to proposal to return farmers market to the 3300 block of Steiner Street. Copy: Supervisor Alioto-Pier (42)

From OPEIU, urging the Board of Supervisors and the Mayor to provide an annual increase into their City contracts as the cost of doing business in San Francisco. (43)

From Department of Public Health, submitting the quarterly AIDS Surveillance Report for AIDS cases reported from January through March 2005. (44)

From concerned citizens, regarding the one-year anniversary of the launch of the Care Not Cash program aiming to alleviate homelessness in San Francisco. (45)

From Karen Everett, submitting support to preserve the Shipwright's House at Hunters Point. Copy: Supervisor Maxwell (46)

From Mara Rivera, submitting support for a 17-cent charge for each bag provided by a grocery store. (47)

From State Department of Health Services, regarding child health and disability prevention allocations for fiscal year 2005-06. (48)

From Comcast Cable, regarding Comcast Corporation and Time Warner Cable entering into agreements to separately acquire substantially all the assets of the bankrupt Adelphia cable systems. (49)

From Laurette Lau, concerning the possible closure of all pre-k programs in the Richmond District with the exception of Argonne School. Copy: Supervisor McGoldrick (50)

From Jean Sinclair, questioning why the Board of Supervisors doesn't consider affordable housing for middle income families that are being priced out of the San Francisco housing market. Copy: Each Supervisor (51)

From Kim Ormiston, submitting opposition to proposal that would ban all firearms in San Francisco. (52)

From Ahimsa Sumchai, regarding the environmental injustice concerning exposure to asbestos between Bayview/Hunters Point and upper income counties like El Dorado County, California. Copy: Supervisor Maxwell (53)

From Paige Tuhey, submitting support for the Potrero traffic calming/bike lane project. (54)

From the Mission Street Business Improvement District, submitting the 2500 Block Management Plan and Assessment Engineer's Report, and 10 pages of petitions filed by property owners who will pay more than 50 percent of the total assessment to be levied to establish a Property and Business Improvement District to be known as the "2500 Block of Mission Street Business Improvement District." (55)

From the Fisherman's Wharf Community Benefit District, submitting the Fisherman's Wharf Community Benefit District Assessment Engineer's Report, and 16 pages of petitions filed by property owners who will pay more than 30 percent of the total assessment to be levied to establish a Property and Business Improvement District to be known as the "Fisherman's Wharf Community Benefit District" and 48 pages of petitions filed by property owners who will not pay more than 30 percent of the total assessment, and the Fisherman's Wharf Community Benefit District Management District Plan. (56)

From North Market/Tenderloin Community Benefit District, submitting the North Market/Tenderloin Community Benefit District Assessment Engineer's Report, and 130 pages of petitions filed by property owners who will pay more than 30 percent of the total assessment to be levied to establish a Property and Business Improvement District to be known as the "North Market/Tenderloin Community Benefits District" and 48 pages of petitions filed by property owners who will not pay more than 30 percent of the total assessment, and the North Market/Tenderloin Community Benefit District Management Plan. (57)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

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MAY 27 2005

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05-27-05 10:12 AM

Agenda
Notice of Canceled Meeting
Board of Supervisors
May 31, 2005 at 2:00 p.m.

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NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the
San Francisco Board of Supervisors for May 31, 2005 has been canceled.

The next regular meeting will be held on Tuesday, June 7, 2005 at 2:00 p.m., in the
Legislative Chamber, Second Floor, 1 Dr. Carlton B. Goodlett Place, Room 250, San
Francisco.


Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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JUN - 3 2005

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 7, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsuprvs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the May 10, 2005 and May 17, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

1. 050215 [Revision of the recourse hearing procedures for public work prevailing wage violations]
Supervisors Ammiano, Peskin
Ordinance amending San Francisco Administrative Code Section 6.22, at subsection 6.22(E)(8)(c), to revise the recourse hearing procedures for contractors challenging forfeitures for prevailing wage violations on public work projects.

5/24/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

2. 050329 [Parking Permits]

Ordinance amending San Francisco Traffic Code sections 308, 308.1, 308.3, and repealing section 314, to: clarify the requirements for issuance of Residential Parking Permits; increase parking permit fees for Residential Parking Permits and Health Care Worker Permits to sixty dollars (\$60) if purchased in the first six months of the permit year or thirty dollars (\$30) if purchased in the last six months of the permit year; increase Educational Institution Permits to sixty dollars (\$60) for each permit regardless of the date of purchase or repurchase; increase temporary parking permit fees for Residential Parking Permits to twenty dollars (\$20) for each week for up to four weeks or forty dollars (\$40) for a four week permit; increase visitor parking permit fees for Residential Parking Permits to five dollars (\$5) per day, twenty dollars (\$20) for two consecutive weeks, thirty dollars (\$30) for four consecutive weeks, forty dollars (\$40) for six consecutive weeks, or fifty dollars (\$50) for eight consecutive weeks; and, delete previous permit fee amounts.
(Municipal Transportation Agency)

5/24/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 050371 [Contractor Permit Fee]

Ordinance amending San Francisco Traffic Code section 202.C to add a provision that contractor permits may be issued for six consecutive months that begin on December 1st, to delete a provision that no more than five additional contractor permits may be issued to any contractor who is not eligible to apply for exclusive temporary use of parking meter zones, and to increase the contractor parking permit fee from \$325 to \$500 if purchased in the first six months of the year and from \$225 to \$250 if purchased in the last six months of the permit year.
(Municipal Transportation Agency)

5/24/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

**4. 050547 [Soil Boring and Well Regulation Ordinance]
Supervisor Peskin**

Ordinance amending the San Francisco Health Code by deleting Section 659 and adding a new Article 12B to establish a regulatory program for the construction, modification, operation, and destruction of soil borings and wells, including both non-production and water wells, to protect the public health and safety and the integrity of the City's groundwater resources by requiring anyone who proposes to construct, modify, operate, maintain or destroy a well or soil boring to obtain a permit; amending Section 249.13 of the San Francisco Business and Tax Regulations Code to set forth the annual fee for the permit; and amending Section 3101 of the Health Code to renumber the reference to section 659 of the Health Code to Article 12B.

5/24/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Dufty

5. 050573 [Deleting References to Traffic Zone No. 1]
Ordinance repealing San Francisco Traffic Code sections 3.6, 10, 20, 35, 88, and 89, and amending San Francisco Police Code section 1320.10, to delete references to Traffic Zone No. 1. (Parking and Traffic Department)

5/24/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

6. 050349 [Bicycle Plan Policy Framework adoption and related General Plan amendments]
Mayor, Supervisors McGoldrick, Mirkarimi, Maxwell, Ammiano
Ordinance amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan: Policy Framework; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; adopting the Bicycle Plan: Policy Framework; and authorizing official acts in connection thereto.

5/24/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

7. 050726 [Settlement of Claims - Pacific Gas & Electric Company]
Ordinance approving the settlement of telephone users tax refund claim asserted by Pacific Gas & Electric Company against the City and County of San Francisco in a claim for refund, then in Pacific Gas & Electric Company v. City and County of San Francisco, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM and Adv. No 04-3071 DM.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 050855 [Settlement of Lawsuit - Klara Khaimskaya]
Ordinance authorizing settlement of the lawsuit filed by Klara Khaimskaya against the City and County of San Francisco on October 16, 2003 in San Francisco Superior Court, Case No. 425-488, entitled Klara Khaimskaya, et al., v. City and County of San Francisco, et al. and authorizing a payment of \$1,020,000.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 050856 [Settlement of Lawsuit - Nydia Rosales]

Ordinance authorizing settlement of the lawsuit filed by Nydia Rosales against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-728; entitled Nydia Rosales, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 050857 [Settlement of Lawsuit - Nancy Enciso]

Ordinance authorizing settlement of the lawsuit filed by Nancy Enciso against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on August 18, 2004, in the Superior Court of the State of California, County of San Francisco, Case No. 433-927; entitled Nancy Enciso v. The City and County of San Francisco, Hugo Aguilera, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 050537 [Appointment - Community Choice Aggregation Citizens Advisory Task Force]

Resolution appointing Lino Del Signore, term ending May 31, 2006, to the Community Choice Aggregation Citizens Advisory Task Force.

Lino Del Signore, new appointment, seat 2, must be an expert in municipal revenue bond financing, for the unexpired portion of a two-year term ending May 31, 2006.

Question: Shall this Resolution be ADOPTED?

12. 050812 [Appointment - Asthma Task Force]

Resolution appointing Natasha Madaris, Micha McLorin and Anjali Nath, terms ending June 30, 2005, to the Asthma Task Force, residency requirement waived.

Natasha Madaris (residency requirement waived), succeeding LeConte Dill, seat 1, resigned, must be a representative of a community-based organization that provides advocacy related to asthma issues in San Francisco and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Micah McLorin, succeeding Carl Rose, seat 13, resigned, must be a representative of lung health/asthma-specific organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Anjali Nath (residency requirement waived), succeeding Beth Saiki, seat 14, resigned, must be a representative of lung health/asthma-specific organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Elsbernd, Ma, McGoldrick

13. 050370 **[Parking Meter Rates]**

Ordinance amending the San Francisco Traffic Code by amending Section 203.1 to increase the rate for parking meters in Parking Meter Area Number One to three dollars (\$3.00) an hour, by amending Sections 203.2 and 203.4 to increase the rate for parking meters in Parking Meter Areas Numbers Two and Four to two dollars and fifty cents (\$2.50) an hour, and by amending Section 203.3 to increase the rate for parking meters in Parking Meter Area Number Three to one dollar and fifty cents (\$1.50) an hour.

(Municipal Transportation Agency)

5/24/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

14. 050372 **[Parking Fine Penalty Schedule]**

Ordinance amending San Francisco Traffic Code section 132 to increase penalties for various parking related violations, and to correct the penalties for Vehicle Code sections 22523A and 22523B by decreasing the penalties to \$200 and section 22526B by decreasing the penalty to \$100.

(Municipal Transportation Agency)

(Supervisor Daly Dissenting in Committee)

5/24/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

15. 050597 [Urging the Redevelopment Agency to establish a policy to use 50% of Redevelopment Tax Increment proceeds for affordable housing]
Supervisors Maxwell, Daly
Resolution urging the Redevelopment Agency of the City and County of San Francisco to establish a housing policy setting a clear intent to use over 50% of total tax increment funds for low and moderate income housing and to include a statement of such intent in all future redevelopment plans submitted to the Board of Supervisors for its approval.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

16. 050595 [Environmentally Preferable Purchasing for Commodities]
Supervisors Maxwell, Daly
Ordinance repealing Chapter 2 of the Environment Code which established an environmentally preferable purchasing pilot program and sections 507, 508 and 512 of Chapter 5 and Chapter 9 of the Environment Code which pertain to purchasing certain environmentally preferable commodities and enacting a new Chapter 2 of the Environment Code to establish a comprehensive City-wide Environmentally Preferable Purchasing Program for purchases of commodities; and making conforming changes in Environment Code sections 501, 506 and 511 and Administrative Code sections 21.16 and 21.30.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 050825 [Homeless Death Form]
Supervisors Dufty, Daly, Mirkarimi
Ordinance amending the San Francisco Health Code by adding Sections 220 through 226, requiring those registering deaths with the Health Department to file a Homeless Death Form.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 050923 [Resolution of Intention to form the Noe Valley Community Benefit District (CBD)]
Supervisor Dufty
Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Question: Shall this Resolution be ADOPTED?

19. 050924 [Resolution of Intention to form the Castro/Upper Market Community Benefit District (CBD)]
Supervisor Dufty
Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Mirkarimi

20. 050876 [Resolution of Intention to form the 2500 Block of Mission Street Business Improvement District (BID)]
Supervisor Ammiano
Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Question: Shall this Resolution be ADOPTED?

21. 050877 [Resolution of Intention to form the North of Market/Tenderloin Community Benefits District (CBD)]
Supervisor Daly
Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefits District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Question: Shall this Resolution be ADOPTED?

22. 050878 [Resolution of Intention to form the Fisherman's Wharf Community Benefit District (CBD)]
Supervisor Peskin
Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

23. 050176 **[Amending the Planning Code to make all massage establishments conditional uses]
Supervisors Ma, Maxwell**
Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval

24. 050724 **[Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]**
Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings.
(Planning Department)

5/17/2005, RE-REFERRED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 050725 **[Alabama and 18th Streets Affordable Housing Special Use District]**
Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings.
(Planning Department)

5/17/2005, RE-REFERRED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval, McGoldrick

26. 050439 [Visitacion Valley Strategic Concept Plan]

Supervisor Maxwell

Resolution supporting use of the Visitacion Valley Strategic Concept Plan in all planning efforts in Visitacion Valley; urging consideration of this Plan in applicable environmental analyses; and urging affected property owners to embrace the Plan as part of any development proposal and to collaborate with community stakeholders throughout the development process.

Question: Shall this Resolution be ADOPTED?

27. 050438 [Designating the Visitacion Valley Survey Area]

Supervisor Maxwell

Resolution designating the Visitacion Valley Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

28. 050908 **[Public Hearing - Appeal of Minor Sidewalk Encroachment Permit for 11 Castenada Avenue]**
Hearing of persons interested in or objecting to the decision of the Director of Public Works by its Order No. 175,406, dated May 11, 2005, concerning approval of a Minor Sidewalk Encroachment Permit No. 05MSE-0138 for the construction of a new warped driveway, new stair, low curbs and reconstruction of existing landscaping encroaching 8'-6" into the public right-of-way per neighborhood pattern fronting the property at 11 Castenada Avenue, Assessor's Block 2819, Lot 037. (Appellant: Michael Tsang.)
(Filed May 16, 2005; companion measure to Files 050909 and 050910; District 7.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

29. 050909 **[Minor Sidewalk Encroachment Permit Appeal - 11 Castenada Avenue]**
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 11 Castenada Avenue and denying the encroachment permit.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. 050910 [Minor Sidewalk Encroachment Permit Appeal - 11 Castenada Avenue]
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 11 Castenada Avenue and denying the appeal.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

32. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 33 through 46

33. 050940 [Supporting AB 772 and SB 437 - Health Coverage for Children]
Supervisors Ammiano, Mirkarimi
Resolution supporting State Assembly Bill 772 and State Senate Bill 437.

5/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 050941 [Supporting the Presidio Child Development Center]
Supervisor Alioto-Pier
Resolution supporting the Presidio Child Development Center, and urging the San Francisco Unified School District Superintendent and School Board not to close the Center.

5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 050942 [Commending GLAAD for moving the 16th Annual Media Awards to Fort Mason Pavilion]
Supervisors Dufty, Ammiano
Resolution commending GLAAD for moving the 16th Annual Media Awards to Fort Mason Pavilion.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
36. 050943 [Endorsing the elimination of the "Don't Ask, Don't Tell" policy and adoption of a policy of nondiscrimination on the basis of sexual orientation within the United States Armed Forces]
Supervisors Dufty, Ammiano, Mirkarimi
Resolution endorsing Senate Joint Resolution 11, urging the President and the United States Congress to adopt the Military Readiness Enhancement Act of 2005 (H.R. 1059), which eliminates the "Don't Ask, Don't Tell" policy and adopts a policy of nondiscrimination on the basis of sexual orientation within the United States Armed Forces.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
37. 050944 [Supporting AB 1605 (Wolk and Berg) and SB 1018 (Simitian)]
Supervisors Ma, Maxwell, Dufty
Resolution urging the support of AB 1605 (Wolk and Berg) and SB 1018 (Simitian), which would establish the Elder Financial Abuse Reporting Act of 2005.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 050945 [Supporting AB 22 (Lieber)]
Supervisors Ma, Maxwell, Dufty, Mirkarimi
Resolution urging the support of AB 22 (Lieber), the California Trafficking Victims Protection Act.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 050946 [Support Assembly Bill 528 - Public Health and Environmental Enforcement Law of 2005]
Supervisor Mirkarimi
Resolution urging San Francisco's legislative delegation to support, the California Legislature to pass, and the Governor to sign Assembly Bill 528 -- Public Health and Environmental Enforcement Law of 2005.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

40. 050947 **[Issuance and Sale of Revenue Bonds - Music Concourse Community Partnership]**
Supervisor Peskin
Resolution approving the issuance and sale of revenue bonds and/or revenue bond anticipation notes by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$32,000,000 for the Music Concourse Community Partnership.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 050948 **[Urging the 109th Congress to pass S 910 and HR 1849, the Breast Cancer Patient Protection Act of 2005]**
Supervisor Sandoval
Resolution urging the 109th Congress to pass S 910 and HR 1849, the Breast Cancer Patient Protection Act of 2005, requiring a post-mastectomy hospital stay to be determined by the patient and her doctor, not an insurance company.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 050963 **[Commending and congratulating Ignacio Chapela on receiving tenure at the University of California at Berkeley]**
Supervisors Sandoval, Mirkarimi, McGoldrick, Maxwell
Resolution commending and congratulating Ignacio Chapela on his receipt of tenure at the University of California at Berkeley.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 050964 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]**
Mayor
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$250,000 from the Office of Justice Programs, Bureau of Justice Assistance (BJA) for the purpose of enhancing and implementing sex offender management practices for offenders under community supervision through the 2004 Sex Offender Management Discretionary Grant Program.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 050965 **[Accept-Expend Private Grant - Mayor's Office of Criminal Justice]**
Mayor
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$15,000 from the Northern California Mechanical Contractors Association (MCA) for the purpose of the arrest and conviction of Mr. Victor Bach's murderer.
- 5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

45. 050914 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
Version.

5/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

46. 050976 [Final Map for a 6 Unit Residential Condominium Project - 400-402-404-406-408-410 Vallejo Street]
Motion approving Final Map of 400-402-404-406-408-410 Vallejo Street, A Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 133, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,357; District 3.)

6/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

47. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 17, 2005 through May 27, 2005, for reference by President to appropriate committee on June 7, 2005.

050902 [Settlement of Lawsuit - Torey Dylan Lovett]

Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for \$1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment.

(City Attorney)

5/23/2005, RECEIVED AND ASSIGNED to Rules Committee.

050951 [Settlement of Lawsuit - Anita Bohbot]

Ordinance authorizing settlement of the lawsuit filed by Anita Bohbot against the City and County of San Francisco for \$35,000; the lawsuit was filed on June 12, 2004 in the San Francisco Superior Court, Case No. 432-409; entitled Anita Bohbot v. City and County of San Francisco, et al. (City Attorney)

5/23/2005, RECEIVED AND ASSIGNED to Rules Committee.

050969 [Appropriate funding from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for the S.F. Superior Court of California, for FY 2004-05]

Ordinance appropriating \$260,000 from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for Superior Court of California, San Francisco for fiscal year 2004-05. (Superior Courts)

5/24/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050970 [Appropriate funding from the General Fund Reserve to fund over expenditures in salaries in the Office of the Public Defender for FY 2004-05]

Ordinance appropriating \$270,000 from the General Fund Reserve to fund over expenditures in salaries caused by the inability to meet attrition targets in the Office of the Public Defender for fiscal year 2004-05. (Public Defender)

5/24/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050975 [Settlement of claim filed by PG&E before the Federal Energy Regulatory Commission]

Ordinance authorizing settlement of the Scheduling Coordinator Services Tariff case filed by Pacific Gas & Electric Company before the Federal Energy Regulatory Commission in Docket Nos. ER00-565-000 et al., ER04-1233-000 et al., and ER05-480-000. (City Attorney)

5/27/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 17, 2005 through May 27, 2005, for reference by President to appropriate committee on June 7, 2005.

050949 [Grant of an Access Easement - Lake Merced Golf Club]

Resolution approving an Easement Agreement between Lake Merced Golf Club, a California not-for-profit corporation, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC"), for the grant of an access easement over SFPUC's Water Pipeline Right of Way in Daly City, San Mateo County. (Real Estate Department)

5/20/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050972 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)
(DPW Order No. 175, 630; Locations: 131-133 Carl Street; 201 Capra Way; 411-15th Avenue.)

5/26/2005, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

050973 [Professional services agreement to provide geotechnical and tunnel engineering services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a professional services agreement with Jacobs Associates for an amount not to exceed \$14,800,000 to provide geotechnical and tunnel engineering services for the Bay Division Pipelines Reliability Upgrade Project.
(Public Utilities Commission)

5/27/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050974 [Program/Project/Pre-Construction Management Services for the Water System Improvement Program]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute a professional services agreement with Parsons Water and Infrastructure Inc. (as guaranteed by Parsons Corporation) for an amount not to exceed \$45,000,000 to provide Program/Project/Pre-Construction Management Services for the San Francisco Water System Improvement Program.
(Public Utilities Commission)

5/27/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051050 [Petitions and Communications]

Petitions and Communications received from May 17, 2005 through May 27, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 7, 2005.

From David Knapp, submitting request to transfer a Type 48 On-Sale General Public Premises License from 1312 Polk Street to 510 Larkin Street. (1)

From Department of Public Works, regarding status of repairing the empty sidewalk at 650 Steiner Street. (Reference No. 20050412-001) Copy: Supervisor Mirkarimi (2)

From Department of Public Works, regarding status of repairing the two empty sidewalk squares at 565 Haight Street. (Reference No. 20050503-002) Copy: Supervisor Mirkarimi (3)

From Department of Public Works, regarding status of repairing the pothole in front of 436 Fell Street. (Reference No. 20050503-001) Copy: Supervisor Mirkarimi (4)

From State Assemblyman Leland Yee, submitting copy of letter sent to the Secretary of the Navy urging him to support an appropriation to relocate the U.S.S. Iowa from Rhode Island to San Francisco. Copy: Each Supervisor (5)

From Civil Service Commission, regarding employment termination of the "7514 General Laborers" represented by the Laborers' International Union Local 261. (Reference No. 20050426-007) Copy: Supervisor Mirkarimi (6)

From Department of Public Health, submitting request for release of reserved funds (\$1,060,000) for purchase and improvement of the CMED building located at 2789 25th Street. (7)

From Supervisor Daly, submitting copy of letter sent to the Executive Director of the Citizens Housing Corporation concerning the affordable housing development at 18th and Alabama Streets. File 050725, Copy: Each Supervisor (8)

From Public Utilities Commission, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for the General Electric Company. (9)

From Clerk of the Board, regarding compliance with Administrative Provisions of Section 23 of the Annual Appropriation Ordinance for the third quarter of fiscal year 2004-05. (10)

From concerned citizens, submitting opposition to the proposed bike plan. File 050349, File 050893 Copy: Each Supervisor (11)

From Department of Public Health, regarding the intended use of the Mental Health Services Act/Proposition 63 funds. (12)

From Forest Ethics, submitting support for proposal to charge 17 cents for each bag provided at grocery stores. (13)

From Madelyn Vilhauer, submitting support to ban or regulate inappropriate or violent movie posters around school campuses. Copy: Supervisor McGoldrick (14)

From Office of the Controller, submitting annual report on contracting out City services. Copy: Each Supervisor (15)

From Department of Elections, submitting the Elections Commission Annual Report for January 1, 2004 through December 31, 2004. (16)

From Senate Rules Committee, submitting reappointment of Arthur Rosenfeld to the State Energy Resources Conservation and Development Commission. (17)

From Senate Rules Committee, submitting appointment of Mary Ann Wamerdam of Yolo County as Director of Pesticide Regulations for the California Environmental Protection Agency. (18)

From Redevelopment Agency, submitting various documents related to the South of Market Redevelopment Plan Amendment. Copy: Each Supervisor (19)

From SF Association of Realtors, commenting that ownership of affordable housing is needed to stop exodus of the middle class from San Francisco. Copy: Land Use Committee (20)

From Office of the Controller, submitting the master fee schedule of City departments for fines, licenses, permits and service charges. (21)

From Bay Area Rapid Transit District, submitting the SF Bay Area Rapid Transit District 2004 Annual Report. (22)

From concerned citizens, submitting opposition to proposal to charge 17 cents for each bag provided at grocery stores. (23)

From Department of Public Works, regarding repair of a block of pitted pavement between Fell and Hayes Streets. (Reference No. 20050517-002) Copy: Supervisor Mirkarimi (24)

From SF Association of Realtors, submitting opposition to Assembly Bill 781, a bill aimed at limiting the prohibition placed on public entities from compelling owners of real property to stay in the rental business to property owners who have owned their property for longer than five years. File 050352, Copy: Each Supervisor (25)

From Janet Newton, submitting an update to an earlier letter sent in June 2004 from the EMR Policy Institute concerning safety questions on the proposed installation of RFID systems in the San Francisco Public Library. (26)

From Janet Newton, submitting a second letter regarding the proposal to install a radio frequency identification system in the San Francisco Public Library. (27)

From Assistant Clerk of the Board, submitting affidavit of receipt of petition results 605 parcels document and amendment to the Management District Plan Appendix A North Market/Tenderloin Community Benefits District. File 050877 (28)

From Assistant Clerk of the Board, submitting affidavit of receipt of petition results 605 parcels document and amendment to the Management District Plan Appendix A for the Fisherman's Wharf Community Benefit District. File 050878 (29)

From Assistant Clerk of the Board, submitting the Castro/Upper Market Community Benefit District's Assessment Engineer's Report, Management District Plan; and petition of property owners who will pay more than 30 percent of the total assessment to be levied to establish a Property and Business Improvement District and 30 percent of property owners who will not pay more than 30 percent of the total assessment. File 050924 (30)

From Assistant Clerk of the Board, submitting the Noe Valley Community Benefit District's Assessment Engineer's Report, Management District Plan; and petition of property owners who will pay more than 30 percent of the total assessment to be levied to establish a Property and Business Improvement District and 30 percent of property owners who will not pay more than 30 percent of the total assessment. File 050923 (31)

From Clerk of the Board, submitting notice that the Clerk of the Board's Office has received a report from the Civil Grand Jury regarding City Contracting and Affirmative Action released on May 23, 2005. (32)

From Municipal Transportation Agency, concerning repainting the crosswalk at the intersection of Ocean and Capitol Avenues. (Reference No. 20050301-001) Copy: Supervisor Sandoval (33)

From Ethics Commission, submitting report on San Francisco's Limited Public Financing Program. Copy: Each Supervisor (34)

From Clerk of the Board, submitting notice that the Clerk of the Board's Office has received a report from the Civil Grand Jury regarding the difference between a contract and a grant. (35)

From concerned citizens, urging the Board of Supervisors to do something to create more homeownership opportunities in the City. (36)

From the Green Party, urging the Board to support a stronger effort to improve bicycling conditions in the City than is represented in the present plan. File 050349, Copy: Each Supervisor (37)

From Public Utilities Commission, responding to inquiry regarding monitoring and reporting on the water quality of Lake Merced. (Reference No. 20050329-004) Copy: Supervisor Elsbernd (38)

From Linda Catelani-Del Chiaro, submitting support for the preservation of St. Brigid's Church. File 050465 (39)

From concerned citizens, concerning extending the moratorium on medical cannabis dispensaries for six months in San Francisco. Files 050776 and 050773, Copy: Each Supervisor (40)

From Janet Newton, submitting four letters: two letters from Blank & Goodman & Peterson regarding "a biological guide for electromagnetic safety" and two letters from Dr. R. Albanese: "In the Best of All Possible Worlds;" a medical perspective on electromagnetic safety and health. (41)

From concerned citizens, submitting support for the Landmark Advisory Board's decision to declare the boathouse at 900 Innes Avenue as a City landmark and opposition to the water tower being demolished. Copy: Supervisors Maxwell and McGoldrick (42)

From Lijia Chen, submitting appeal of Categorical Exemption from Environmental Review for Bay Division Pipeline Nos. 3 and 4 Seismic Upgrade at Hayward Fault Project owned and operated by the San Francisco Public Utilities Commission. File 050952 (43)

From Jeffrey Branco, Jr., submitting request for a Type 42 (wine tasting on premise) liquor license for Coit Liquor at 585 Columbus Avenue. (44)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for an existing residential house in a three-family (RH-3) District at the northwest and southwest corner of Sanchez and 18th Streets. File 050633 (45)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for an amendment to the Planning Code to provide for an increase in the height exemption for elevator penthouses from 10 feet to 16 feet. (46)

From Planning Department, submitting Resolution 16740 regarding proposed ordinance amending Planning Code to allow a tourist hotel of 75 rooms or less as a principal permitted use in the SSO (Service/Secondary Office District). File 050830, Copy: Land Use Committee (47)

From Fire Department, submitting notice of an annual inspection relating to fire and life safety for S.F. Civic Center Courthouse at 400 McAllister Street on May 19, 2005. (48)

From Department of Public Health, submitting request for waiver of Administrative Code Chapter 12B for Toys-R-Us. (49)

From Port, submitting correspondence regarding the Port's Youth Employment Programs for fiscal year 2005-06. Copy: Budget Committee (50)

From City Attorney, submitting the "Good Government Guide" an overview of the laws governing the conduct of public officials. (51)

From concerned citizens, submitting opposition to Muni raising fares and cutting service. (52)

From State Department of Child Support Services, concerning the "Project Save Our Children Program" and the process for referring a case to the program. (53)

From State Department of Social Services, submitting the CAPIT/CBCAP/PSSF three-year plan instructions for State fiscal years 2005-2008. (54)

APPOINTMENTS BY THE MAYOR

Fire Commission

George Lau

Arts Commission

Ethel Pitts Walker

Maya Draisin

Pop Zhao

John Kriken

Alexander Lloyd

Jeannene Przyblyski

Beverly Prior

Leonard Hunter

Larry Rinder

Jose Cuellar

War Memorial Board of Trustees

Charlotte Malliard Shultz

Wilkes Bashford

Gina Moscone

Bella Farrow

Claude Jarman

Nancy Bechtle

Paul Pelosi

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



AGENDA

DOCUMENTS DEPT.

JUN 10 2005

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 14, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Daly

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at soff@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 11

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

1. 050825 [Homeless Death Form]
 Supervisors Dufty, Daly, Mirkarimi
 Ordinance amending the San Francisco Health Code by adding Sections 220 through 226, requiring those registering deaths with the Health Department to file a Homeless Death Form.

6/7/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Ma

2. 050721 [Liquor License, 238 Sansome Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Zain Azzghayer for business located at 238 Sansome Street, Suite 110 from 333 O'Farrell Street will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

3. 050765 [Liquor License, 57 New Montgomery Street]
Resolution determining that the transfer of a Type 20 off-sale beer and wine license to Mokles Hanna and Suhail Hanna for F-M Smokes & Wine located at 57 New Montgomery Street from 1560 Mayson Street will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

4. 050905 [Acceptance of Gift - Police Department's K-9 Unit]
Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of fifty thousand (\$50,000.00) to use for the betterment of dogs in the Department's K-9 Units.
(Police Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

5. 050724 **[Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]**
Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings.
(Planning Department)
- 5/17/2005, RE-REFERRED.
6/7/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
6. 050725 **[Alabama and 18th Streets Affordable Housing Special Use District]**
Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings.
(Planning Department)
- 5/17/2005, RE-REFERRED.
6/7/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

7. 050855 **[Settlement of Lawsuit - Klara Khaimskaya]**
Ordinance authorizing settlement of the lawsuit filed by Klara Khaimskaya against the City and County of San Francisco on October 16, 2003 in San Francisco Superior Court, Case No. 425-488, entitled Klara Khaimskaya, et al., v. City and County of San Francisco, et al. and authorizing a payment of \$1,020,000.
(City Attorney)
- 6/7/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
8. 050856 **[Settlement of Lawsuit - Nydia Rosales]**
Ordinance authorizing settlement of the lawsuit filed by Nydia Rosales against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-728; entitled Nydia Rosales, et al., v. City and County of San Francisco, et al.
(City Attorney)
- 6/7/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**

9. 050857 [Settlement of Lawsuit - Nancy Enciso]

Ordinance authorizing settlement of the lawsuit filed by Nancy Enciso against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on August 18, 2004, in the Superior Court of the State of California, County of San Francisco, Case No. 433-927; entitled Nancy Enciso v. The City and County of San Francisco, Hugo Aguilera, et al.
(City Attorney)

6/7/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 050726 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance approving the settlement of telephone users tax refund claim asserted by Pacific Gas & Electric Company against the City and County of San Francisco in a claim for refund, then in Pacific Gas & Electric Company v. City and County of San Francisco, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM and Adv. No 04-3071 DM.
(City Attorney)

6/7/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 050975 [Settlement of claim filed by PG&E before the Federal Energy Regulatory Commission]

Ordinance authorizing settlement of the Scheduling Coordinator Services Tariff case filed by Pacific Gas & Electric Company before the Federal Energy Regulatory Commission in Docket Nos. ER00-565-000 et al., ER04-1233-000 et al., and ER05-480-000.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Ma

12. 050595 [Environmentally Preferable Purchasing for Commodities]

Supervisors Maxwell, Daly, Mirkarimi, Ma

Ordinance repealing Chapter 2 of the Environment Code which established an environmentally preferable purchasing pilot program and sections 507, 508 and 512 of Chapter 5 and Chapter 9 of the Environment Code which pertain to purchasing certain environmentally preferable commodities and enacting a new Chapter 2 of the Environment Code to establish a comprehensive City-wide Environmentally Preferable Purchasing Program for purchases of commodities; and making conforming changes in Environment Code sections 501, 506 and 511 and Administrative Code sections 21.16 and 21.30.

6/7/2005, AMENDED. Supervisors Mirkarimi and Ma requested to be added as co-sponsors.

6/7/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

13. 050181 [General Plan amendments in connection with the Transbay Redevelopment Plan]

Mayor, Supervisor Daly

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

5/10/2005, CONTINUED. Continued to June 14, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 050182 [Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

5/10/2005, CONTINUED. Continued to June 14, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

5/10/2005, CONTINUED. Continued to June 14, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

16. 051071 [Annual Appropriation Ordinance for Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]

Mayor

Ordinance appropriating all estimated receipts and all estimated expenditures for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005 for the fiscal year ending June 30, 2006.

(Fiscal impact)

(Supervisors Daly, Ma dissenting in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 051072 [Annual Salary Ordinance for the Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]

Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005, for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact)

(Supervisors Daly, Ma dissenting in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

18. 050744 [Supporting SB 437 and AB 772 - California Health Kids Insurance Program]

Mayor, Supervisors Ma, Dufty, McGoldrick

Resolution supporting Senate Bill 437 and Assembly Bill 772, which would create the California Health Kids Insurance Program and extend all health insurance to low income children in California.

Question: Shall this Resolution be ADOPTED?

19. 050427 [Liquor License, 301 Randolph Street]

Resolution disapproving the request for the transfer of a Type 21 off-sale general alcoholic beverage control license for Jacqueline Badenhause and Abdo Alkasmy for Brotherhood Market & Deli from 308 Randolph Street to 301 Randolph Street, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

20. 051010 [Appointment - Entertainment Commission, Jordan Shlain]

Motion approving the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term ending July 1, 2009.

(Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)

Transmittal date - May 31, 2005

Question: Shall this Motion be APPROVED?

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

21. 050356 [Charter Amendment - Moving the Election Date of the Public Defender and Assessor/Recorder]

Supervisors Mirkarimi, Alioto-Pier

Charter amendment (First Draft) to amend Section 13.101 to move the election date of the Public Defender and Assessor-Recorder from the Statewide Primary Election in June to the following General Municipal Election in November.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

22. 050770 [Hearing - Redevelopment Plan for the Transbay Redevelopment Project Area]
Hearing to consider possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Clerk of the Board)

5/10/2005, CONTINUED. Continued to June 14, 2005

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation**From the Budget and Finance Subcommittee and Committee of the Whole**

23. 050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly
Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Fiscal impact.)

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to refer this matter to the Redevelopment Agency with pending amendments.

Continued to May 10, 2005

5/10/2005, CONTINUED. Continued to June 14, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 4:30 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

24. 050933 [Hearing - Ground Lease of Redevelopment Agency Land for 275 10th Street Supportive Housing]
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3518, Lots 14, 17 and 29, which is located on the southeast corner of Folsom and Dore Streets and fronts 10th Street, San Francisco, California (the "Site"), to EPISCOPAL COMMUNITY SERVICES OF SAN FRANCISCO, a California nonprofit public benefit corporation, for 65 years for the purpose of developing housing for very low income households; adopting findings pursuant to Section 33433 of the California Community Redevelopment Law.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

25. 050934 [Ground Lease of Redevelopment Agency Land for 275 10th Street Supportive Housing]
Supervisor Daly
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3518, Lots 14, 17 and 29, San Francisco, California (the "Site"), to EPISCOPAL COMMUNITY SERVICES OF SAN FRANCISCO, a California nonprofit public benefit corporation, for 65 years for the purpose of developing housing for very low income households; adopting findings pursuant to Section 33433 of the California Community Redevelopment Law.

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Budget and Finance Subcommittee at a Rescheduled Meeting on Thursday, June 9, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 14, 2005.

26. 050915 [Appropriate funding from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05]

Supervisor Daly

Ordinance appropriating \$51,000 from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 050882 [Street Resurfacing, Pedestrian Safety and Access Improvement General Obligation Bonds]
Supervisors Ammiano, Peskin

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or completion of street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated cost of \$208,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

28. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

29. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 30 through 53

- 30. 051042 [Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Daly
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$350,000 from the Bay Area Air Quality Management District to install a Diesel Emission Control (DEC) equipment on thirty-three (33) solid waste collection vehicles (SWCV).

6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 31. 051043 [Solidarity with Iraqi Democratic Labor Movement]**
Supervisor Peskin
Resolution welcoming Iraqi labor leaders to San Francisco and declaring solidarity with the people of Iraq in their quest for peace, democracy, sovereignty and self-determination, and in particular with the democratic labor movement of Iraq.

6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 32. 051046 [Commending Winnie Lang]**
Supervisor Dufty
Resolution commending Winnie Lang on the occasion of her retirement.

6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 33. 051047 [Condemning the offensive and discriminatory training video shown to San Francisco 49er players and staff and urging the San Francisco 49ers to work cooperatively and diligently with the Human Rights Commission]**
Supervisors Dufty, Ammiano, Ma, Maxwell, Daly, Mirkarimi
Resolution condemning the offensive and discriminatory training video shown to San Francisco 49er players and staff and urging the San Francisco 49ers to work cooperatively and diligently with the Human Rights Commission to address issues of discrimination and to develop a plan of action for preventing future discrimination.

6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

34. 051048 [Endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together towards its implementation]
Supervisors Duffy, Maxwell
Resolution endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together its implementation to reduce recidivism for parents and improve outcomes for children.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
35. 051104 [Commending Armando Cervantes]
Supervisors Duffy, Maxwell
Resolution commending Armando Cervantes for his career as Adult Probation Chief.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
36. 051105 [Commending the San Francisco Human Rights Commission for its findings of discrimination against SF Badlands and urging relevant agencies to impose penalties to the fullest extent of the law]
Supervisors Duffy, Ammiano, Maxwell, Alioto-Pier, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Resolution commending the San Francisco Human Rights Commission for its findings of discrimination against SF Badlands and urging relevant agencies to impose penalties to the fullest extent of the law.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
37. 051106 [Accept-Expend Federal Grant - Police Department]
Supervisors Duffy, Ma
Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice – Office of Justice Programs for a project entitled “DNA Backlog Reduction Program.”
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 051107 [Accept-Expend Federal Grant - Police Department]
Supervisors Duffy, Ma
Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice – Office of Justice Programs for a project entitled “DNA Capacity Enhancement Program.”
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

39. 051108 [Accept-Expend State Grant - Police Department]
Supervisor Elsbernd
Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety, a State agency, for a project entitled "California Seat Belt Compliance Campaign".
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
40. 051109 [1939-1945 Ocean Avenue Medical Cannabis Dispensary]
Supervisors Elsbernd, Sandoval
Resolution urging the City Attorney to diligently pursue code enforcement actions in order to address a medical cannabis dispensary at 1939-1945 Ocean Avenue which is in violation of the Planning Code.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 051110 [Commending the California Japanese American Community Leadership Counsel]
Supervisor Mirkarimi
Resolution commending the California Japanese American Community Leadership Counsel for their work on developing the California Japantown Landmark.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 051111 [Urging the CPUC to impose the mitigation measures necessary to ensure that the proposed merger of SBC and AT&T is beneficial to the City and its residents and businesses]
Supervisors Mirkarimi, McGoldrick, Ammiano, Daly
Resolution urging the California Public Utilities Commission (CPUC) to impose the mitigation measures necessary to prevent adverse consequences from the proposed merger of SBC and AT&T and to ensure that the merger is beneficial to the City of San Francisco and the State of California and their respective residents and businesses.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 051112 [Endorsing Assembly Bill 1391- Reporting Loopholes Used by Campaign Committees]
Supervisor Mirkarimi
Resolution endorsing Assemblymember Leno's AB 1391 which would close reporting loopholes used by campaign committees that classify themselves as state or county committees to avoid more stringent city campaign finance disclosure requirements in local campaigns.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

44. 051113 [Urging Support of the Permanent Berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco]
Supervisors Ma, Elsbernd, Alioto-Pier
Resolution urging the San Francisco Congressional delegation to support the permanent berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 051114 [Commending the Rebuilding San Francisco Project on their efforts to produce a documentary detailing the story of rebuilding San Francisco after the Great Earthquake]
Supervisors Ma, Dufty
Resolution commending the Rebuilding San Francisco Project on their efforts to produce a documentary detailing the story of rebuilding San Francisco after the Great Earthquake of 1906.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 051115 [Accept-Expend State Grant - Police Department]
Supervisors Ma, Dufty
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the California Office of Traffic Safety (OTS), a State agency, for a project entitled "Sobriety Checkpoint Program for Local Law Enforcement Agencies."
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 051116 [Urging the Port to facilitate PG&E's construction of the Potrero-Hunters Point 115KV Cable Project and PG&E to obtain tenancy in good standing with the Port]
Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty, Ma, McGoldrick, Peskin
Resolution urging the Port to facilitate PG&E's construction of the Potrero-Hunters Point 115KV Cable Project and PG&E to obtain tenancy in good standing with the Port.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 051117 [Urging the California Public Utilities Commission to order PG&E to pay a substantial fine and to take necessary corrective measures to prevent future indoor substation fires and outages]
Supervisors McGoldrick, Mirkarimi, Maxwell, Ammiano
Resolution urging the California Public Utilities Commission (CPUC) to require PG&E to take all measures necessary to ensure that PG&E substations are safe and reliable, urging the CPUC to impose a substantial fine on PG&E for allowing unsafe and unreliable conditions to develop and persist at the Mission Substation, and calling on PG&E to compensate all persons, businesses and governmental entities that suffered economic harm as a result of any PG&E electrical outages.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

- 49. 051118 [Opposing Coal-Fired Power Plant]**
Supervisors Peskin, Mirkarimi, Ammiano
Resolution opposing the proposed Sempra coal fired power plant in northern Nevada's Black Rock Desert and urging the City of Los Angeles to oppose Sempra's application to the Los Angeles Department of Water and Power to tap the Pacific Direct Current Intertie to carry electricity generated by the proposed plant.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 50. 051119 [Accept-Expend Federal Grant - Department of Public Works]**
Supervisors Peskin, Elsbernd
Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling \$2,100,000 for the North Point Street Pavement Renovation Project and the Monterey Boulevard Pavement Renovation Project.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 51. 051026 [Needle Exchange]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 6/7/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
- 52. 051097 [Final Map for a 139 Unit Mixed Use Condominium Project - 333 First Street]**
Motion approving Final Map of 333 First Street, A Mixed Use Condominium Project, being a subdivision of Lot 34 in Assessor's Block No. 3748, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,402; District 6.)
- 6/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
- 53. 051098 [Final Map for a 206 Unit Residential Condominium Project - 355 First Street]**
Motion approving Final Map of 355 First Street, A Residential Condominium Project, being a subdivision of Lot 35 in Assessor's Block No. 3748, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,403; District 6.)
- 6/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

54. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 31, 2005 through June 6, 2005, for reference by President to appropriate committee on June 14, 2005.

- 051096 [Extension of as-needed architectural services agreements for various public work projects]
Ordinance approving extension of As-Needed Architectural Services agreements with (1) Joe Chow & Associates for completion of the San Francisco General Hospital SwissRay Digital Chest Installation Project (Specification No. 6299A), the San Francisco General Hospital Orthopedic Room Renovation 3M (Specification No. 6288A), the San Francisco General Hospital 1x65 Radiology Department Remodel (Specification No. 6377A), the San Francisco General Hospital TBI Bathroom Remodel 4B (Specification No. 6246A), (2) Carey & Co., for completion of the Tom Waddell Health Center Elevator Replacement (Specification No. 6126A), and (3) Levy Design for the completion of the Coffman Pool Reconstruction Project (Specification No. 6214A), under Administrative Code Chapter 6, section 6.64.
(Public Works Department)

6/6/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051099 [Authorizing Payment of Attorney's Fees and Costs After Appeal]

Ordinance authorizing the payment of \$37,240.25 in attorney's fees and costs after the appeal in the lawsuit filed by John Baba, Philip Brady, Sergio Iantorno, John Zanghi, and Arnold W. Evje, II, against the Board of Supervisors of the City and County of San Francisco, the Residential Rent Stabilization and Arbitration Board of the City of the City and County of San Francisco, and the City and County of San Francisco. The lawsuit was filed on August 30, 2002, and the motion for attorney's fees and costs on appeal was filed on May 9, 2005, in San Francisco Superior Court (Case No. CPF-02-501589).
(City Attorney)

6/6/2005, RECEIVED AND ASSIGNED to Rules Committee.

051100 [Settlement of Lawsuit - Francine Davis]

Ordinance authorizing settlement of the lawsuit filed by Francine Davis against the City and County of San Francisco for \$170,000; the lawsuit was filed on May 28, 2004- in San Francisco Superior Court, Case No. 431-854; entitled Francine Davis, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/6/2005, RECEIVED AND ASSIGNED to Rules Committee.

051101 [Settlement of Lawsuit - San Francisco Unified School District]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco Unified School District against the City and County of San Francisco by provision of credits and rate reductions not to exceed \$225,000 on past sewer service and future sewer and water service, for FY 2004-06; the lawsuit was filed on November 12, 2004 in San Francisco Superior Court, Case No. 436-240; entitled San Francisco Unified School District, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/6/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 31, 2005 through June 6, 2005, for reference by President to appropriate committee on June 14, 2005.

050978 [Accept-Expend Regional Grant]

Resolution authorizing the Airport Commission to accept and expend four (4) grants totaling \$276,070 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.
(Airport Commission)

6/3/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050979 [Contract funds to participate in the HIV Prevention Trials Unit Protocol 039 study]

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement with PHFE Management Solutions (PHFE), the primary contractor, and expend funds in the amount of \$51,934 in order to participate in the HIV Prevention Trials Unit Protocol 039 study; for the period of July 1, 2004, to June 30, 2005.
(Public Health Department)

6/2/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051056 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Haight and Shrader Street, stopping Haight Street at Shrader Street, making this an All-Way STOP;
Gladstone Drive at Maynard Street, stopping Gladstone Drive at Maynard Street;

Christopher and Warren Drives, stopping Christopher Drive approaching Warren Drive, the stem of this T-intersection;

Bryant and Ritch Streets, stopping Ritch Street at Bryant Street, the stem of this T-intersection;

Bryant and Zoe Streets, stopping Zoe Street at Bryant Street, the stem of this T-intersection;

16th Avenue at Moraga Streets, stopping southbound 16th Avenue at Moraga Street, making this T-intersection an All-Way STOP;

San Aleso Avenue at Darien Way, making this 2-Way STOP-controlled intersection an All-Way STOP;

San Aleso Avenue at Upland Drive, stopping the southbound direction of San Aleso Avenue; and,
Manor Drive at Upland Drive, stopping Manor Drive at Upland Drive, making this uncontrolled intersection a 2-Way STOP.

(Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

6/6/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051057 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH

Bayshore Boulevard, southbound, between Industrial Street and Silver Avenue.

BICYCLE LANES - ESTABLISH

John Muir Drive, both sides, between Lake Merced Boulevard and the east property line of the Lakewood Apartments.

NO LEFT TURN ON RED, 6 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Fremont Street, northbound, at Howard Street

ONE-WAY (NORTHBOUND) TRAFFIC DESIGNATION - RESCIND
Arago Street, between Havelock and Paulding Streets

NO LEFT TURN - ESTABLISH

Westbound Paulding Street to southbound Arago Street (makes existing regulations permanent)

NO RIGHT TURN - ESTABLISH

Eastbound Paulding Street to southbound Arago Street (makes existing regulations permanent)

RIGHT LANE MUST TURN RIGHT EXCEPT BUSES - ESTABLISH

Geary Boulevard, westbound, at Presidio Park Boulevard

(Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

6/6/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051058 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Rhode Island Street, east side, from 17th Street to 190 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Bayshore Boulevard, west side, from Industrial Street to Silver Avenue (to allow installation of bicycle lanes).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
49-51 and 55 Norfolk Street, between the driveways of 49-51 and 55 Norfolk Street (12-foot space accommodating 2 motorcycle spaces).

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
2700 and 2730 Mission Street, between 23rd and 24th Streets (adds specific addresses only, no signs will be posted on this block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Moraga Street, both sides, between 12th Avenue and Funston Street (600 Block).

2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Kansas Street, east side, between 16th and 17th Streets (300 Block).
(Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

6/6/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051126 [Petitions and Communications]

Petitions and Communications received from May 28, 2005 through June 6, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 14, 2005.

From Johann Stahl, commenting on the number of times he's been knocked down by bicyclists zooming down the sidewalk. (1)

From Ammel Park Cooperative Homes, urging the Board of Supervisors to continue funding the "Safety Network" program in the Hayes Valley neighborhood. (2)

From Mark Dirs, submitting request for a Type 42 (on-sale beer and wine – public premises) license for "WINE" located at Two Embarcadero Center, Street Level. (3)

From Regina Dick-Endrizzi, Legislative Assistant to Supervisor Mirkarimi, submitting Form 700 Statement of Economic Interests. (4)

From Department of Public Health, submitting request for waiver of Chapter 12B of the Administrative Code for lab tests performed at Laboratory Corporation of America. (5)

From City Librarian, submitting the re-appointment of Susan Goldstein, City Archivist, as the San Francisco Public Library representative to the San Francisco Museum and Historical Society Advisory Committee. Copy: Rules Clerk (6)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for North Beach Neighborhood Commercial District. File O50433 (7)

From Bob Planthold, regarding access at City Hall for the disabled community in San Francisco. (8)

From Department of Human Resources, submitting document in accordance with the provisions of Chapter 3 of the Administrative Code relating to consideration of the interim annual appropriation and salary ordinances. (9)

From Department of Children, Youth and Their Families, submitting list of sole source contracts entered into for fiscal year 2004-05. (10)

From U.S. Department of Health and Human Services, regarding the Single Audit Report for year ended June 30, 2003. (11)

From Hideka Suzuki, requesting support to keep Starbucks from opening a store in Japantown. (12)

From Gypsy, commenting on the twelve residential parking spaces removed from the residential parking program to create a "safety zone" to drop off children attending Burke School. (13)

From Brother's for Change, Inc., regarding dispute with Red Ink Studios and Fillmore Properties, LLC over the commercial space at 1520 Eddy Street inside the Fillmore Center building. (14)

From Office of the Treasurer & Tax Collector, submitting the annual report for businesses that filed for tax credits in the 2004 calendar year. (15)

From Jennie Lee, submitting opposition to the appointment of Gerald Yeager to the Animal Control and Welfare Commission. (16)

From S.F. Multi-Employer Group, submitting press release regarding the revised contract containing improved healthcare benefits for San Francisco hotel employees. (17)

From Patrick McInroy, commenting how much Muni improved under the leadership of Michael Burns. Copy: Supervisor Alioto-Pier (18)

From Police Department, submitting list of sole source contracts entered into for fiscal year 2004-05. (19)

From Mayor's Office of Community Development, regarding the percentage and total dollar amount of CDBG and ESG dollars that were awarded to service providers located in and/or serving the population of District 5 for the last three fiscal years, and the projected funding allocations for fiscal year 2005-06. (Reference No. 20050503-008) Copy: Supervisor Mirkarimi (20)

From Department of Human Resources, submitting response to preliminary review of the Department of Building Inspection's proposed new and substitute positions for the fiscal year 2005-06 budget. File 050966 (21)

From Elizabeth Vigil, regarding the increase in burglaries and vandalism in the vicinity of 8th Street between Howard and Folsom Streets. Copy: Supervisor Daly (22)

From Office of the Controller, submitting proposed contracting out of services included in the Annual Appropriation Ordinance that summarizes the Controller's Prop J determination for fiscal year 2005-06. Copy: Each Supervisor (23)

From concerned citizens, urging the Board of Supervisors to hold Supervisor Daly responsible for his actions. (24)

From Dina Boyer, urging the Board of Supervisors to allow Supervisor Daly to represent District 6 in his own way. (25)

From concerned citizens, urging the Board of Supervisors to do something to create more homeownership opportunities in San Francisco. (26)

From concerned citizens, commenting on the City Controller's 2005 City Survey giving San Francisco a C+ for city services. (27)

From Department of Children, Youth and Their Families, submitting list of the Department of Children, Youth and Their Families funded programs with service sites located in the 94115 and 94117 zip code areas. (Reference No. 20050503-003) Copy: Supervisor Mirkarimi (28)

From Redevelopment Agency, submitting its financial and performance reports for the quarter ended March 31, 2005. Copy: Supervisor Ammiano (29)

From Peter Warfield, submitting notice that the Library CAC advises no funding for implementation of Radio Frequency Identification (RFID) at the public library until the concerns of the Library CAC are addressed. (30)

From City Librarian, submitting notice that the library has established the Library Technology and Privacy Advisory Committee to address and examine the possible implementation of Radio Frequency Identification as an inventory control tool at the San Francisco Public Library. Copy: Each Supervisor (31)

From the Library Employees Union Chapter, commenting on recent calls for civil service reform. File 050445 (32)

From Public Utilities Commission, submitting request for waiver of Chapters 12B and 12C of the Administrative Code to purchase and stock rainbow trout from Mt. Lassen Trout at Lake Merced. (33)

From Daniel Cox, responding to proposed sidewalk encroachment permit for 11 Castenada Avenue. File 050908 (34)

From concerned citizens, urging the Board of Supervisors to restrict ownership and/or ban the breeding and new ownership of Pit Bull dogs in San Francisco. (35)

From concerned citizens, regarding the disproportional amount of emergency vehicle noise on Hyde and Ellis Streets. (36)

From Department of Public Works, responding to request to repair the sinkhole running east and west on Arguello, between Carl and Irving Streets. (Reference No. 20050405-003) Copy: Supervisor Mirkarimi (37)

From Department of Public Works, responding to request to repair the pitted pavement on Pierce Street, between Fell and Hayes Streets. (Reference No. 20050517-002) Copy: Supervisor Mirkarimi (38)

From Department of Public Works, responding to request to remove the abandoned bicycle locked to a sign at the intersection of Grove and Fillmore Streets. (Reference No. 20050524-006) Copy: Supervisor Mirkarimi (39)

From Department of Public Works, responding to request to repair the streetlight that is out at 2024 Hayes Street. (Reference No. 20050524-002) Copy: Supervisor Mirkarimi (40)

From Peter Witt, submitting the 4th report of limousines operating illegally in San Francisco. (41)

From Department of Public Health, submitting the April 2005 monthly STD report. (42)

From concerned citizens, submitting support for a city owned Asian Pacific Islander Cultural Center in San Francisco. (43)

From concerned citizens, submitting opposition to any fare increase for Muni bus service. (44)

APPOINTMENTS BY THE MAYOR

Concourse Authority
Ron Miguel

Environment Commission
Arlene Rodriguez

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 21, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Daly

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the May 24, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

1. 050617 [Airport Concession Lease]
Resolution approving the Boarding Areas "B" and "C" Books and News Stores Lease between DeLaVe, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Duffy, Ma

2. 050696 [STOP Intersections]

Supervisor Duffy

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Arlington Street at Fairmount Street, making this intersection an All-Way STOP.

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

3. 050709 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

4th Avenue and Clement Street, stopping Clement Street at 4th Avenue, making intersection an All-Way STOP

Question: Shall this Resolution be ADOPTED?

4. 050785 [STOP Intersections - Octavia Frontage Road]

Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP signs - ESTABLISH

Octavia Frontage Road and Haight Street, stopping Octavia Frontage Road, at Haight Street

Octavia Frontage Road and Page Street, stopping Octavia Frontage Road, at Page Street

Octavia Frontage Road and Oak Street, stopping Octavia Frontage Road, at Oak Street

Octavia Frontage Road and Fell Street, stopping Octavia Frontage Road, at Fell Street

(5/2/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

5. 050858

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Shotwell Street, west side, between the driveways of 908 and 910 Shotwell Street (a 13-foot zone accommodating 2 motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hillpoint Street, both sides, north of Parnassus Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Paulding Street, north side, from Arago Street to 115 feet westerly.

2-HOUR PARKING, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

Bayshore Boulevard, west side, from 130 feet to 333 feet north of Costa Street (in front of addresses 220 - 232 Bayshore Boulevard).

1-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

5th Street, west side, between Brannan and Bryant Streets.

NO PARKING ANYTIME - ESTABLISH

Vidal Street, both sides, between the north and south intersections with Higuera Avenue.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Valencia Street, west side, between 26th Street and Cesar Chavez Street.

1-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND

Capitol Avenue, both sides, from Ocean Avenue to DeMontefort Avenue.

2-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Capitol Avenue, east side, from Ocean Avenue to DeMontefort Avenue.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**PARKING METER AREA NO. 1 - ESTABLISH**

Mission Street, south side, between Beale Street and Main Street.

ANGLE PARKING (45 DEGREES) - RESCIND**ANGLE PARKING (60 DEGREES) - ESTABLISH**

Ulloa Street, south side, from 33rd Avenue to 110 feet westerly (converts angle parking from 45 degrees to 60 degrees, gaining three parking spaces).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH**

25th Street at Kansas Street, along the western terminus.

(Parking and Traffic Department)

(5/10/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2999.)

Question: Shall this Resolution be ADOPTED?

6. 050859 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Front and Vallejo Streets, stopping Front Street at Vallejo Street, making this intersection an All-Way STOP;

Alabama and Mariposa Streets, stopping Mariposa at Alabama Street, making intersection an All-Way STOP;

Manchester and Stoneman, stopping Manchester at Stoneman, establishing two-way STOP control; Quintara and 15th Avenue, stopping eastbound Quintara at 15th Avenue and Fanning Way, making this intersection an All-Way STOP; and,

24th and York Streets, stopping 24th Street at York Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(5/10/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2999.)

Question: Shall this Resolution be ADOPTED?

7. 050891 [Temporary "Street Closure to Vehicular Traffic" on O'Farrell Street between Steiner and Fillmore]**Supervisor Mirkarimi**

Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7:00 A.M. to 2 P.M. on every Saturday between July 9, 2005 and November 19, 2005.

Question: Shall this Resolution be ADOPTED?

8. 050937 [Accept-Expend Grant from Transportation Development Act (TDA) for Various Pedestrian and Bicycle Projects]**Supervisors McGoldrick, Dufty**

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency (or his designee) and the Director of the Department of Public Works to accept and expend state Transportation Development Act (TDA) Article 3 funds totaling \$900,000 for FY 2005-06 for various pedestrian and bicycle projects in the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Akoto-Pier, Mirkarimi, Peskin

9. 050975 [Settlement of claim filed by PG&E before the Federal Energy Regulatory Commission]
Ordinance authorizing settlement of the Scheduling Coordinator Services Tariff case filed by Pacific Gas & Electric Company before the Federal Energy Regulatory Commission in Docket Nos. ER00-565-000 et al., ER04-1233-000 et al., and ER05-480-000.
(City Attorney)
- 6/14/2005, PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
10. 050860 [Settlement of Claim - John Yee]
Resolution approving the settlement of the unlitigated Claim No. 05-00923 filed by John Yee on September 15, 2004, against the City and County of San Francisco for \$46,500.00.
(City Attorney)
- Question: Shall this Resolution be ADOPTED?**
11. 050902 [Settlement of Lawsuit - Torey Dylan Lovett]
Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for \$1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. 050903 [Settlement of Claim - Food Service & Management LP]
Resolution approving the settlement of the unlitigated Claim No. 05-02866 filed by Food Service & Management LP on March 8, 2005, against the City and County of San Francisco for \$25,038.57.
(City Attorney)
- Question: Shall this Resolution be ADOPTED?**
13. 050951 [Settlement of Lawsuit - Anita Bohbot]
Ordinance authorizing settlement of the lawsuit filed by Anita Bohbot against the City and County of San Francisco for \$35,000; the lawsuit was filed on June 12, 2004 in the San Francisco Superior Court, Case No. 432-409; entitled Anita Bohbot v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

14. 050181 [General Plan amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly
Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.
(Companion measure to Files 050181, 050182, 050183, and 050184.)
- 3/29/2005, CONTINUED. Continued to April 5, 2005
4/5/2005, CONTINUED. Continued to May 10, 2005
5/10/2005, CONTINUED. Continued to June 14, 2005
6/14/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
6/14/2005, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

15. 050915 [Appropriate funding from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05]
Supervisor Daly
Ordinance appropriating \$51,000 from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05.
- 6/14/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present Supervisors Annunzio, Daly, Elsbernd, Ma, McGoldrick

16. 051071 [Annual Appropriation Ordinance for Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]
Mayor
Ordinance appropriating all estimated receipts and all estimated expenditures for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005 for the fiscal year ending June 30, 2006.
(Fiscal impact)
(Supervisors Daly, Ma dissenting in Committee.)
- 6/14/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
17. 051072 [Annual Salary Ordinance for the Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]
Mayor
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005, for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Fiscal impact)
(Supervisors Daly, Ma dissenting in Committee.)
- 6/14/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

18. **050356** **[Charter Amendment - Moving the Election Date of the Public Defender and Assessor/Recorder]**

Supervisors Mirkarimi, Alioto-Pier

Charter amendment (First Draft) to amend Section 13.101 to move the election date of the Public Defender and Assessor-Recorder from the Statewide Primary Election in June to the following General Municipal Election in November.

6/14/2005, CONTINUED. Continued to June 21, 2005.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd, McGoldrick

19. 050996 [Redevelopment Agency Budget]
Mayor
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

20. 050998 [Interim Treasure Island Development Authority Budget]
Mayor
Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2005-2006.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Daly, Elsbernd

21. 050868 [To appropriate funding for San Francisco General and Laguna Honda Hospital operations]
Mayor
Ordinance appropriating \$16,363,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and capital projects at San Francisco General Hospital and \$1,110,000 in surplus revenues for salaries and materials and supplies for Laguna Honda Hospital for a total of \$17,473,000 for the Public Health Department for fiscal year 2004-05.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 050969 [Appropriate funding from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for the S.F. Superior Court of California, for FY 2004-05]
Ordinance appropriating \$260,000 from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for Superior Court of California, San Francisco for fiscal year 2004-05.
(Superior Courts)
(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 050970 [Appropriate funding from the General Fund Reserve to fund over expenditures in salaries in the Office of the Public Defender for FY 2004-05]
Ordinance appropriating \$270,000 from the General Fund Reserve to fund over expenditures in salaries caused by the inability to meet attrition targets in the Office of the Public Defender for fiscal year 2004-05.
(Public Defender)
(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Duffy, Ma

24. 050578 [Passenger-Carrying Commercial Motor Vehicle Restrictions]
Ordinance repealing San Francisco Police Code section 1183.2 to delete restrictions on the operation of passenger-carrying commercial motor vehicles on certain streets.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

25. 051007 [MOU - Automotive Machinists, Local 1414]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists, Local 1414, to be effective July 1, 2005 through June 30, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 051008 [MOU - Deputy Probation Officers' Association]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association, to be effective July 1, 2005 through June 30, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 051009 [MOU - Institutional Police Officers' Association]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Institutional Police Officers' Association, to be effective July 1, 2005 through June 30, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 051012 [MOU - Committee of Interns and Residents/SEIU]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents/SEIU, to be effective July 1, 2005 through June 30, 2006.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
29. 051013 [MOU - Staff and Per Diem Nurses, SEIU Local 790]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2005 through June 30, 2006.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 051014 [MOU - Teamsters, Local 856 (Supervising Nurses)]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2005 through June 30, 2006.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
31. 051015 [Unrepresented Employees]
Mayor
Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2005.

Question: Shall this Ordinance be PASSED ON FIRST READING?
32. 051017 [MOU - Municipal Executives' Association (Fire)]
Mayor
Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Fire) by implementing physical examination/drug and alcohol screening, and compensation provisions, to be effective July 1, 2005.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 051018 [MOU - Municipal Executives' Association (Police)]
Mayor
Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Police), by extending the term of Agreement to June 30, 2007.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
34. 051019 [MOU - American Physicians and Dentists (Unit 8-CC)]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing an increased Child Psychiatric premium, to be effective July 1, 2005.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
35. 051020 [MOU - Union of American Physicians and Dentists (Unit 11-AA)]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing increased Psychiatric and Child Psychiatric premiums, to be effective July 1, 2005.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
36. 051021 [MOU - Service Employees International Union, Locals 250, 535 and 790]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790, by implementing additional compensation and premium pay, to be effective July 1, 2005.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
37. 051022 [MOU - International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO]
Mayor
Ordinance adopting and implementing Amendment No. 4 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO, by implementing additional compensation and amending premium pay language, to be effective July 1, 2005.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
38. 051023 [MOU - Transport Workers Union, Local 200 (SEAM)]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2005 through June 30, 2006.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 051024 [MOU - Laborers International Union, Local 261]

Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, by implementing provisions related to the Department of Public Works - Laborers Apprenticeship Project, to be effective July 1, 2005.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 050838 [Alternative Fuel Vehicle Feasibility Study]

Supervisor Ma

Resolution urging the Department of Administrative Services to conduct a feasibility study on the use of alternative fuel vehicles in the City vehicle fleet.

5/17/2005, REFERRED to Government Audit and Oversight Committee.

Question: Shall this Resolution be ADOPTED?

41. 050881 [Exploratorium Lease Agreement Exemption]

Supervisor Peskin

Resolution exempting the potential lease of portions of the Piers 15 and 17 properties to the Exploratorium from the competitive bidding policy set forth in Administrative Code Section 2.6-1.

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee With Recommendation "Do Not Pass"

Present: Supervisors Peskin, Elsbernd, Daly

42. 051016 [MOU - Municipal Attorneys' Association]

Mayor

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick, Peskin

43. 041154 [Zoning Map Amendments]**Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, to change the use district designation of Assessor's Block 0185, Lots 5, 29, 30, 31, 38, 39, 40, and 41 from NC-2 (Small-Scale Neighborhood Commercial District) to RM-1 (Residential, Mixed: Low Density); adopting findings pursuant to Planning Code Sections 302 and 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 050297 [Zoning Map Amendment and Repeal of Planning Code Section 263.1]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by repealing Section 263.1, which allows the Planning Commission to approve height up to 200 feet in the 65D-2 Height and Bulk District, and by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0195, Lots 4, 5, 12, 14, 15 and 16 from 65D-2 to 40-X and to change the height and bulk designation of the remaining assessor's blocks and lots within the 65D-2 Height and Bulk District from 65D-2 to 65-A; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 050299 [Zoning Map Amendment]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0139 from 84-E to 40-X and to change the height and bulk designation of Assessor's Blocks 0140 and 0141 from 84-E to 65-X; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 050727 [Amending the Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3.]

Ordinance amending Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3 of the Building Code to allow land surveyors to prepare submittal documents; to prohibit use or occupancy of structures until a certificate of final completion and occupancy or other approval by the Department of Building Inspection has been issued; to remove the definition of building height; to regulate the depth of structural projections; to delete requirements for exterior backings constructed of solid wood and plywood; to allow for approved alternate locations for storm or casual water drains; to remove requirement that solid wood or plywood wall sheathing used as backing for plaster be pressure-treated, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 050728 [Amending the Housing Code regarding mechanical ventilation of bathrooms]

Ordinance amending Section 504 of the Housing Code to modify requirements for mechanical ventilation of bathrooms and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 050729 [Amending the Plumbing Code regarding storm water drain locations and grease traps]
Ordinance amending Section 306.2 and Section 1014.1 of the Plumbing Code to allow for alternate locations for rain water drains; to modify the requirements for grease traps; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.
(Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 050084 [Vacation of 22nd Street between Arkansas and Connecticut Streets]
Resolution declaring the intention of the Board of Supervisors to vacate the 22nd Street right-of-way between Arkansas and Connecticut Streets; setting the hearing date for July 19, 2005 at 4:00 p.m. for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

50. 050497 [Renaming the Department of the Medical Examiner as the "Office of the Chief Medical Examiner."
Mayor
Ordinance amending the San Francisco Administrative Code by amending Section 2A.250 to change the name of the Department of the Medical Examiner to "Office of the Chief Medical Examiner."

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 050697 [Requiring the Disaster Council to meet on a Quarterly Basis]
Mayor
Ordinance amending the San Francisco Administrative Code by amending Section 7.4, to require the Disaster Council to meet on a quarterly basis.

Question: Shall this Ordinance be PASSED ON FIRST READING?

52. 050698 [Requiring the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.]
Mayor
Ordinance amending the San Francisco Administrative Code by adding Section 7.19, to require the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.

Question: Shall this Ordinance be PASSED ON FIRST READING?

53. 050817 [Designating rent and tax credits as "public monies" for purposes of Fiscal Feasibility Ordinance]

Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, 29.4, and 29.7, to: exempt voter-approved projects from the Fiscal Feasibility Ordinance; include rent credits and City-granted Mills Act tax credits as "public monies" for purposes of the Ordinance; require additional information from applicants for environmental review; set a deadline for Board action; and, suspend application to certain projects undergoing environmental review.

Question: Shall this Ordinance be PASSED ON FIRST READING?

54. 050828 [Certain Commission candidates must file Statements of Economic Interests prior to Board consideration]

Supervisors Peskin, Ammiano, Elsbernd, Alioto-Pier, Mirkarimi

Motion amending the Board's Rules of Order to add Rule 2.32, requiring each candidate for a Board, Commission or advisory body appointment or confirmation who would be required to file a Form 700 (Statement of Economic Interests) to submit such a Statement to the Clerk of the Board of Supervisors prior to Board Consideration of the appointment or confirmation, and allowing the Board to consider appointments or confirmations, despite the failure of an applicant to file a completed Form 700, if the time for Board consideration is about to expire.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

55. 050977 [Committee of the Whole - Bielenso Hearing]
Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Bielenso Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall)

Action: _____

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

56. 051158 [Hearing - Redevelopment Plan for the Transbay Redevelopment Project]
Hearing to allow public comment regarding amendments made on June 14 to File No. 050184, an ordinance adopting the Transbay Redevelopment Plan.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

57. 050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly
Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; authorizing official acts in furtherance of this ordinance.
(Fiscal impact.)

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to refer this matter to the Redevelopment Agency with pending amendments.

Continued to May 10, 2005

5/10/2005, CONTINUED. Continued to June 14, 2005

6/14/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/14/2005, PASSED ON FIRST READING AS AMENDED. Order to be heard by the Board of Supervisors sitting as a Committee of the Whole on June 21, 2005 as a Special Order at 4:00 p.m. The public hearing will only address the amendments introduced at the June 14, 2005 Board of Supervisors' Meeting.

Question: Shall this Ordinance be FINALLY PASSED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Budget and Finance Committee at a Regular Meeting on Thursday, June 16, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 21, 2005.

58. 050980 [Interim Government Funding, Fiscal Year 2005-2006 (Excluding Municipal Transportation Agency)]

Mayor

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

59. 050982 [Public Employment, Fiscal Year 2005-2006]

Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

60. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

61. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

62. 051157 [Legislative Analyst Request - Dislocated Workers]
Supervisor Maxwell
Motion requesting the Legislative Analyst to research and report on the types/models adopted by cities across the country to address the transition of dislocated workers of manufacturing industries such as garment, electronics, and food into new careers.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 63 through 82

63. 051159 [Accept and Expend Gift - Robin and Marsha Williams]
Supervisor Alioto-Pier
Resolution accepting a gift in the amount of \$80,000 from Robin and Marsha Williams and authorizing its expenditure to repair and improve a retaining wall and median strip on Seaciff Avenue.

6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
64. 051160 [Accept-Expend State Grant - Recreation and Park Department]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend local assistance funds in the amount of \$25,000 available under the Waste Tire Playground Cover Grant Program FY 2004-2005, through the California Integrated Waste Management Board, for Alta Plaza Park.

6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
65. 051161 [Supporting the right of women to breastfeed in public]
Supervisors Alioto-Pier, Duffy, Elsbernd, Maxwell
Resolution supporting the right of women to breastfeed in public.

6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

66. 051162 [Trinity Plaza Development Agreement]
Supervisor Daly
Resolution stating as a matter of policy of the Board of Supervisors that any Development Agreement presented to the Board for approval concerning the proposed Trinity Plaza development project at 1177 Market Street should contain specified unit affordability, tenant protection provisions, and required project amenities comparable to those currently enjoyed at 1169 Market Street.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
67. 051163 [Urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, to call on the President to withdraw U.S. troops from Iraq]
Supervisor Daly
Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, introduced by Representative Lynn Woolsey.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
68. 051164 [Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing]
Supervisor Daly
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
69. 051165 [Commending Yvette Stuart]
Supervisor Dufty
Resolution commending Yvette Stuart on the occasion of her retirement.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
70. 051166 [Commending Dennis Smith]
Supervisors Dufty, Maxwell, Alioto-Pier
Resolution commending Dennis Smith upon his graduation from Mission High School and recognizing his many outstanding accomplishments, and wishing him well in his recovery.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

71. 051167 [Commending Natalie Berg]
Supervisors Dufty, Peskin
Resolution commending Natalie Berg on her outstanding community leadership and the successful completion of her two-year term as President of the Jewish Community Relations Council.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
72. 051168 [Commending the students involved in the COLAGE Youth Leadership and Action Program]
Supervisors Dufty, Ammiano
Resolution commending the students involved in the COLAGE Youth Leadership and Action Program for their efforts to promote awareness and acceptance about issues related to youth with LGBT parents.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
73. 051169 [Recognizing June 2005 as "National Safety Month" in San Francisco]
Supervisor Ma
Resolution recognizing June 2005 as "National Safety Month" in San Francisco.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
74. 051170 [Commending the Stern Grove Festival Association]
Supervisor Ma
Resolution commending the Stern Grove Festival Association for its work planning and organizing the 68th Annual Stern Grove Festival in San Francisco and congratulating the Association on the rededication of new facilities at Sigmund Stern Grove and the Rhoda Goldman Concert Meadow.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
75. 051171 [Commending Mati Bates]
Supervisor Maxwell
Resolution commending Mati Bates for a successful career with the City and county of San Francisco, and wishing her a happy retirement.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

76. 051172 [Accept-Expend State Grant - Mayor's Office of Criminal Justice]
Supervisor Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$116,941 from the State Board of Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
77. 051173 [Accept-Expend State Grant - Mayor's Office of Criminal Justice]
Supervisor Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$200,000 from the State Board of Corrections for the purpose of implementing the Read Into Your Future Project through the Title II Formula Grant Program.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
78. 051174 [Accept-Expend State Grant - Mayor's Office of Criminal Justice]
Supervisor Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,187,092 from the State Board of Corrections (BOC), from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA) – for programs and approaches that have been demonstrated to be effective in reducing delinquency.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
79. 051175 [Commending Intersection for the Arts 40th Anniversary]
Supervisor Mirkarimi
Resolution commending the Intersection for the Arts on the occasion of their 40th anniversary of providing an alternative, independent art space and eclectic, diverse arts programming to San Francisco's communities.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
80. 051176 [Urging California Legislature to draft and pass a bill concerning exposure to depleted uranium by members of the armed forces]
Supervisor Mirkarimi
Resolution urging California Legislature to draft and pass a bill concerning exposure to depleted uranium by members of the armed forces who return to California after service in the military.
- 6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

81. 051177 [Declaring June 20, 2005 Judy Finelli Day in San Francisco]
Supervisor Peskin
Resolution declaring June 20, 2005 Judy Finelli Day in San Francisco.

6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

82. 051178 [Accept-Expend State Grant - Recreation and Park Department]
Supervisor Sandoval

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend local assistance funds in the amount of \$2,314,500 available under the Murray-Hayden Grant Program in the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the Minnie and Lovie Ward Recreation Center Renovation Project.

6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

83. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 7, 2005 through June 13, 2005, for reference by President to appropriate committee on June 21, 2005.

051094 [Settlement of Lawsuit- Larry Saxxon]

Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for \$500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al. (City Attorney)

6/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

051102 [Settlement of Lawsuit - Linda Alband]

Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for \$35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al. (City Attorney)

6/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

051103 [Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for \$121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al. (City Attorney)

6/13/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 7, 2005 through June 13, 2005, for reference by President to appropriate committee on June 21, 2005.

051095 [Settlement of Claim - Boston Properties]

Resolution approving the settlement of the unlitigated claim filed by Boston Properties Limited Partnership against the City and County of San Francisco for \$211,097; claim was filed on June 2, 2004. (City Attorney)

6/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

051120 [Street Encroachment at 624 Laguna Street]

Resolution granting revocable permission to 624 Laguna LP, to occupy a portion of the public right-of-way for the installation and operation of a new sub-sidewalk elevator under the sidewalk fronting the subject property at 624 Laguna Street (Block 0807, Lot 012), conditioned upon the payment of an annual assessment fee of \$1,000.00.
(Public Works Department)

6/8/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051121 [Street Encroachment at 815 Francisco Street]

Resolution granting revocable permission to Launce E. Gamble, Trustees, to occupy a portion of the public right-of-way to construct and maintain a new two-car garage, to encroach approximately 28 feet into the unimproved public sidewalk right-of-way, as per existing neighborhood pattern, fronting 815 Francisco Street (Block 0048, Lot 019), conditioned upon the payment of an annual assessment fee of \$4,800, and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

6/7/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051122 [IHSS Contract Modification Approval – San Francisco IHSS Public Authority]

Resolution approving the modification of the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority, which expires on June 30, 2006, for the provision of health and dental benefits to IHSS Independent Providers, in the amount of \$11,872,058, for a total contract amount of \$68,190,161.
(Human Services Department)

6/9/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051123 [IHSS Contract Approval – IHSS Consortium of San Francisco]

Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of \$51,433,291.
(Human Services Department)

6/9/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051124 [Lease of Real Property at 1440 Harrison Street]

Resolution authorizing the renewal of a sublease of 52,200 sq. ft. of space at 1440 Harrison Street for the Department of Human Services.
(Real Estate Department)

6/13/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051180 [Petitions and Communications]

Petitions and Communications received from June 7, 2005 through June 13, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 21, 2005.

From Marilyn Amini, submitting request for continuance of proposed amendment to the San Francisco General Plan in connection with the San Francisco Bicycle Plan. File 050349 (1)

From Office of the Assessor-Recorder, submitting list of sole source contracts entered into for fiscal year 2004-05. (2)

From Doug Comstock, regarding the Sunshine Ordinance Task Force budget for fiscal year 2005-06. Copy: Each Supervisor (3)

From Human Services Agency, submitting report regarding the total dollar amount of grants and other funds awarded to childcare providers located in and/or serving the population of District 5. (Reference No. 20050503-005) Copy: Supervisor Mirkarimi (4)

From Mayor's Office of Criminal Justice, submitting the total dollar amount of grants awarded to service providers located in and/or serving the population of District 5. (Reference No. 20050503-009) Copy: Supervisor Mirkarimi (5)

From Redevelopment Agency, submitting the total dollar amount of Housing Opportunities for Persons with AIDS (HOPWA) funds that were awarded to service providers located in and/or serving the population of District 5. (Reference No. 20050503-006) Copy: Supervisor Mirkarimi (6)

From the Arts Commission, submitting list of sole source contracts entered into for fiscal year 2004-05. (7)

From Airport Auto Shop, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Chevron USA Inc. (8)

From District Attorney, submitting list of sole source contracts entered into for fiscal year 2004-05. (9)

From Department of Building Inspection, submitting copy of letter sent to Solem & Associates regarding enforcement of sprinklers in high-rise buildings. (10)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (11)

From Office of the Treasurer/Tax Collector, submitting the Cash Difference and Overage Fund balance and activities reported to the office for the period ending May 31, 2005. (12)

From the Single Room Occupancy Task Force, submitting the 2005 Single Room Occupancy Hotel Safety and Stabilization Task Force Report. (13)

From concerned citizens, regarding the disproportional amount of emergency vehicle noise on Hyde and Ellis Streets. (14)

From Small Business Commission, submitting support for proposal to form Community Benefit Districts/BID in commercial districts. Files 050876, 050877, 050878, 050923, 050924 Copy: Each Supervisor, Assistant Clerk of the Board (15)

From Stadling, Yocca, Carlson & Rauth, regarding the California Community College Financing Authority 2005 Tax and Revenue Anticipation Bonds for San Francisco Community College District. (16)

From Planning Department, submitting report on proposed height reclassification for area bounded by Embarcadero, Broadway, Vallejo and Battery Streets. File 050299 (17)

From Sherri Maurin, filing notice of appeal from action of the Department of Public Works for a Minor Sidewalk Encroachment permit at 149 Fair Oaks Street. File 051053, Copy: Supervisor Duffy (18)

From Public Utilities Commission, requesting appeal of Categorical Exemption for seismic upgrade at the Hayward Fault be heard before the Board of Supervisors on June 21, 2005. File 050952 (19)

From Vincent Marsh, requesting appeal of Categorical Exemption for property located at 1740 20th Street either be scheduled for June 21, 2005 or sometime after July 12, 2005. File 050959 (20)

From Maria Torrealano, submitting opposition to any increase in sales tax in San Francisco. (21)

From Stephen Harper, submitting support for bringing the Battleship Iowa to San Francisco. (22)

From concerned citizens, submitting opposition to proposal to charge 17 cents for each bag provided at grocery stores. (23)

From concerned citizens, urging the Board of Supervisors to hold Supervisor Daly responsible for his actions. (24)

From concerned citizens, commenting on the City Controller's 2005 City Survey giving San Francisco a C+ for city services. (25)

From concerned citizens, urging the Board of Supervisors to do something to create more homeownership opportunities in San Francisco. (26)

From Eric Schuler, urging the Board of Supervisors to draft legislation to attract more jobs and businesses to San Francisco. (27)

From Municipal Transportation Agency, submitting Muni's Short Range Transit Plan for fiscal years 2006-2025. (28)

From Julie Duarte, regarding the responsibility of dog owners. (29)

From Community United Against Violence, submitting press release regarding the murder trial of Gwen Araujo. (30)

From South of Market Neighborhood Association, submitting notice that they were precluded from several Redevelopment Agency meetings regarding the South of Market Project Area. (31)

From Law Offices of Stephen Williams, confirming notice that the American Buddhist Cultural Society and the 1776 Sacramento Street Homeowners Association have agreed to remove appeal of Categorical Exemption for property located at 1750 Van Ness Avenue from the June 28, 2005 Board Agenda. (32)

From California Public Utilities Commission, submitting notice of PG&E's application for approval of the Energy Efficiency Program for 2006-2008. (33)

From Thomas Firpo, urging the Board to enact the Community Choice Energy plan. (34)

From Bridge View Owners Association, submitting support for keeping Beale Street closed to all traffic at the approach to the Bay Bridge to protect the Bay Bridge anchorage. (35)

From Debra Bridges, commenting on the Planning Commission's decision to deny Lewis Epstein's application for a Conditional Use at 20 Peters Avenue. Copy: Each Supervisor (36)

From M.R. Wolfe & Associates, Attorneys for the Cuyuga Network, regarding appeal of Categorical Exemption for the San Francisco Public Utilities Commission Bay Division Pipeline seismic upgrade at the Hayward Fault. File 050952, Copy: Each Supervisor (37)

ADJOURNMENT

JUN 16 2005

SAN FRANCISCO
PUBLIC LIBRARY



City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

06-15-05A11-38 RCVD

General Notice

Transmitted 06-15-05

A public hearing will be held on 06/28/05 at 4:30 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

050956 Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1740 20th Street

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005 (Case No. 2003.0960E), exempting from environmental review under State CEQA Guidelines, Sections 15301(a), 15301(e)(2), and 4(b), Class Numbers 1(a), 1(e)(2), and 4(b). The proposed project includes a vertical L-shaped addition, and a horizontal addition to a single-family residence. The new addition would add 1,346-gross-square-feet to an existing 2,202-gsf, approximately 12-foot tall single-family residence. There is currently one off-street parking space on the project site. The proposed project would add one additional off-street parking space. The addition would be 23-feet tall at its highest point. The 5,000-square-foot project site is located at 1740 20th Street, northeast corner of 20th and Wisconsin Streets on Assessor's Block 4069, Lot 018. The project site is within an RH-2 (Residential, House, Two-Family) zoning district and a 40-X height and bulk district. (Appellant: Vincent Marsh on behalf of Bob Siska, property owner.)

Gloria L. Young, Clerk of the Board

NOTE:

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JUN 24 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 28, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Daly

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 37

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd

1. 050868 [To appropriate funding for San Francisco General and Laguna Honda Hospital operations]
Mayor
Ordinance appropriating \$16,363,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and capital projects at San Francisco General Hospital and \$1,110,000 in surplus revenues for salaries and materials and supplies for Laguna Honda Hospital for a total of \$17,473,000 for the Public Health Department for fiscal year 2004-05.
(Fiscal impact.)

6/21/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **050969** **[Appropriate funding from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for the S.F. Superior Court of California, for FY 2004-05]**
 Supervisor Daly
 Ordinance appropriating \$260,000 from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for Superior Court of California, San Francisco for fiscal year 2004-05.
 (Superior Courts)
 (Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

6/21/2005, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

3. **050980** **[Interim Government Funding, Fiscal Year 2005-2006 (Excluding Municipal Transportation Agency)]**
 Mayor
 Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.
 (Fiscal impact.)
4. **050982** **[Public Employment, Fiscal Year 2005-2006]**
 Mayor
 Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
 (Fiscal impact.)

6/21/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

5. 051007 [MOU - Automotive Machinists, Local 1414]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists, Local 1414, to be effective July 1, 2005 through June 30, 2006.
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
6. 051008 [MOU - Deputy Probation Officers' Association]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association, to be effective July 1, 2005 through June 30, 2006.
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 051009 [MOU - Institutional Police Officers' Association]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Institutional Police Officers' Association, to be effective July 1, 2005 through June 30, 2006.
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 051012 [MOU - Committee of Interns and Residents/SEIU]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents/SEIU, to be effective July 1, 2005 through June 30, 2006.
(Fiscal impact.)
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. **051013** **[MOU - Staff and Per Diem Nurses, SEIU Local 790]**
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2005 through June 30, 2006.
(Fiscal impact.)

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. **051014** **[MOU - Teamsters, Local 856 (Supervising Nurses)]**
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2005 through June 30, 2006.
(Fiscal impact.)

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
11. **051015** **[Unrepresented Employees]**
Mayor
Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2005.

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
12. **051017** **[MOU - Municipal Executives' Association (Fire)]**
Mayor
Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Fire) by implementing physical examination/drug and alcohol screening, and compensation provisions, to be effective July 1, 2005.

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
13. **051018** **[MOU - Municipal Executives' Association (Police)]**
Mayor
Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Police), by extending the term of Agreement to June 30, 2007.

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

14. 051019 [MOU - American Physicians and Dentists (Unit 8-CC)]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing an increased Child Psychiatric premium, to be effective July 1, 2005.
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 051020 [MOU - Union of American Physicians and Dentists (Unit 11-AA)]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing increased Psychiatric and Child Psychiatric premiums, to be effective July 1, 2005.
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 051021 [MOU - Service Employees International Union, Locals 250, 535 and 790]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790, by implementing additional compensation and premium pay, to be effective July 1, 2005.
(Fiscal impact.)
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
17. 051022 [MOU - International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO]
Mayor
Ordinance adopting and implementing Amendment No. 4 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO, by implementing additional compensation and amending premium pay language, to be effective July 1, 2005.
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
18. 051023 [MOU - Transport Workers Union, Local 200 (SEAM)]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2005 through June 30, 2006.
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

19. 051024 [MOU - Laborers International Union, Local 261]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, by implementing provisions related to the Department of Public Works - Laborers Apprenticeship Project, to be effective July 1, 2005.

6/21/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick, Peskin

20. 050727 [Amending the Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3.]
Supervisor Mirkarimi
Ordinance amending Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3 of the Building Code to allow land surveyors to prepare submittal documents; to prohibit use or occupancy of structures until a certificate of final completion and occupancy or other approval by the Department of Building Inspection has been issued; to remove the definition of building height; to regulate the depth of structural projections; to delete requirements for exterior backings constructed of solid wood and plywood; to allow for approved alternate locations for storm or casual water drains; to remove requirement that solid wood or plywood wall sheathing used as backing for plaster be pressure-treated, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)
- 6/21/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
21. 050728 [Amending the Housing Code regarding mechanical ventilation of bathrooms]
Ordinance amending Section 504 of the Housing Code to modify requirements for mechanical ventilation of bathrooms and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
22. 050729 [Amending the Plumbing Code regarding storm water drain locations and grease traps]
Ordinance amending Section 306.2 and Section 1014.1 of the Plumbing Code to allow for alternate locations for rain water drains; to modify the requirements for grease traps; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)
- 6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

23. 050497 [Renaming the Department of the Medical Examiner as the "Office of the Chief Medical Examiner."]
Mayor
Ordinance amending the San Francisco Administrative Code by amending Section 2A.250 to change the name of the Department of the Medical Examiner to "Office of the Chief Medical Examiner."

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
24. 050902 [Settlement of Lawsuit - Torey Dylan Lovett]
Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for \$1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment.
(City Attorney)

6/21/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
25. 050697 [Requiring the Disaster Council to meet on a Quarterly Basis]
Mayor
Ordinance amending the San Francisco Administrative Code by amending Section 7.4, to require the Disaster Council to meet on a quarterly basis.

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
26. 050951 [Settlement of Lawsuit - Anita Bohbot]
Ordinance authorizing settlement of the lawsuit filed by Anita Bohbot against the City and County of San Francisco for \$35,000; the lawsuit was filed on June 12, 2004 in the San Francisco Superior Court, Case No. 432-409; entitled Anita Bohbot v. City and County of San Francisco, et al.
(City Attorney)

6/21/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

27. 050698 [Requiring the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.]
Mayor
Ordinance amending the San Francisco Administrative Code by adding Section 7.19, to require the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
28. 050817 [Designating rent and tax credits as "public monies" for purposes of Fiscal Feasibility Ordinance]
Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, 29.4, and 29.7, to: exempt voter-approved projects from the Fiscal Feasibility Ordinance; include rent credits and City-granted Mills Act tax credits as "public monies" for purposes of the Ordinance; require additional information from applicants for environmental review; set a deadline for Board action; and, suspend application to certain projects undergoing environmental review.

6/21/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Peskin
29. 051094 [Settlement of Lawsuit- Larry Saxxon]
Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for \$500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 051099 [Authorizing Payment of Attorney's Fees and Costs After Appeal]
Ordinance authorizing the payment of \$37,240.25 in attorney's fees and costs after the appeal in the lawsuit filed by John Baba, Philip Brady, Sergio Iantorno, John Zanghi, and Arnold W. Evje, II, against the Board of Supervisors of the City and County of San Francisco, the Residential Rent Stabilization and Arbitration Board of the City of the City and County of San Francisco, and the City and County of San Francisco. The lawsuit was filed on August 30, 2002, and the motion for attorney's fees and costs on appeal was filed on May 9, 2005, in San Francisco Superior Court (Case No. CPF-02-501589). (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?
31. 051100 [Settlement of Lawsuit - Francine Davis]
Ordinance authorizing settlement of the lawsuit filed by Francine Davis against the City and County of San Francisco for \$170,000; the lawsuit was filed on May 28, 2004 in San Francisco Superior Court, Case No. 431-854; entitled Francine Davis, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 051101 [Settlement of Lawsuit - San Francisco Unified School District]
Ordinance authorizing settlement of the lawsuit filed by the San Francisco Unified School District against the City and County of San Francisco by provision of credits and rate reductions not to exceed \$225,000 on past sewer service and future sewer and water service, for FY 2004-06; the lawsuit was filed on November 12, 2004 in San Francisco Superior Court, Case No. 436-240; entitled San Francisco Unified School District, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 051102 [Settlement of Lawsuit - Linda Alband]
Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for \$35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 051103 [Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for \$121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 051181 [Appointment - Asthma Task Force]
Resolution appointing Benjamin Heckman, term ending June 30, 2007, to the Asthma Task Force. Benjamin Heckman, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2007.

Question: Shall this Resolution be ADOPTED?

36. 051095 [Settlement of Claim - Boston Properties]
Resolution approving the settlement of the unlitigated claim filed by Boston Properties Limited Partnership against the City and County of San Francisco for \$211,097; claim was filed on June 2, 2004.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Duffy, Ma

37. **050578** **[Passenger-Carrying Commercial Motor Vehicle Restrictions]**
Ordinance repealing San Francisco Police Code section 1183.2 to delete restrictions on the operation of passenger-carrying commercial motor vehicles on certain streets.

6/21/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Daly, Elsbernd

38. 050970 [Appropriate funding from the General Fund Reserve to fund over expenditures in salaries in the Office of the Public Defender for FY 2004-05]
Supervisors Sandoval, Daly
Ordinance appropriating \$270,000 from the General Fund Reserve to fund over expenditures in salaries caused by the inability to meet attrition targets in the Office of the Public Defender for fiscal year 2004-05.
(Public Defender)
(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

6/21/2005. PASSED ON FIRST READING. Supervisors Sandoval and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

From the Government Audit and Oversight Committee With Recommendation "Do Not Pass"

Present: Supervisors Peskin, Elsbernd, Daly

39. 051016 [MOU - Municipal Attorneys' Association]
Mayor
Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2005 through June 30, 2006.
(Fiscal impact.)

6/21/2005. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick, Peskin

**40. 041154 [Zoning Map Amendments]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, to change the use district designation of Assessor's Block 0185, Lots 5, 29, 30, 31, 38, 39, 40, and 41 from NC-2 (Small-Scale Neighborhood Commercial District) to RM-1 (Residential, Mixed: Low Density); adopting findings pursuant to Planning Code Sections 302 and 101.1.

6/21/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

**41. 050297 [Zoning Map Amendment and Repeal of Planning Code Section 263.1]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by repealing Section 263.1, which allows the Planning Commission to approve height up to 200 feet in the 65D-2 Height and Bulk District, and by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0195, Lots 4, 5, 12, 14, 15 and 16 from 65D-2 to 40-X and to change the height and bulk designation of the remaining assessor's blocks and lots within the 65D-2 Height and Bulk District from 65D-2 to 65-A; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

6/21/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

**42. 050299 [Zoning Map Amendment]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0139 from 84-E to 40-X and to change the height and bulk designation of Assessor's Blocks 0140 and 0141 from 84-E to 65-X; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

6/21/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

43. 050602 [Recreation and Park - S.F. Small Craft Harbor Fees]
Supervisor Alioto-Pier
Ordinance making environmental findings and amending the San Francisco Park Code by repealing Section 12.11 and adopting a new Section 12.11 to increase current fees and add additional rental and services fees at the San Francisco Small Craft Harbor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

44. 050763 [Lease of Real Property - One South Van Ness Avenue]
Resolution authorizing the exercise of an option to lease 66,317 square feet of space and extending the term of an existing lease at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco.
(Real Estate Department)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

45. 041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

10/19/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.

1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

2/8/2005, CONTINUED. Continued to March 15, 2005.

3/15/2005, CONTINUED. The President inquired as to whether or not a member of the public wished to address the Board. Continued to April 26, 2005

4/26/2005, CONTINUED. Continued to June 28, 2005

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

46. 041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board) *
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
4/26/2005, CONTINUED. Continued to June 28, 2005.
Question: Shall this Motion be APPROVED?
47. 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
4/26/2005, CONTINUED. Continued to June 28, 2005.
Question: Shall this Motion be APPROVED?
48. 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
4/26/2005, CONTINUED. Continued to June 28, 2005.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

49. 050956 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1740 20th Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005 (Case No. 2003.0960E), exempting from environmental review under State CEQA Guidelines, Sections 15301(a), 15301(e)(2), and 4(b), Class Numbers 1(a), 1(e)(2), and 4(b). The proposed project includes a vertical L-shaped addition, and a horizontal addition to a single-family residence. The new addition would add 1,346-gross-square-feet to an existing 2,202-gsf, approximately 12-foot tall single-family residence. There is currently one off-street parking space on the project site. The proposed project would add one additional off-street parking space. The addition would be 23-feet tall at its highest point. The 5,000-square-foot project site is located at 1740 20th Street, northeast corner of 20th and Wisconsin Streets on Assessor's Block 4069, Lot 018. The project site is within an RH-2 (Residential, House, Two-Family) zoning district and a 40-X height and bulk district. (Appellant: Vincent Marsh on behalf of Bob Siska, property owner.) (Filed May 20, 2005; companion measure to Files 050957, 050958, 050959; District 10.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

50. 050957 [Affirming the categorical exemption issued for 1740 20th Street]
Motion affirming the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
51. 050958 [Disapproving the categorical exemption issued for 1740 20th Street]
Motion disapproving the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

52. 050959 [Preparation of findings related to the categorical exemption issued for 1740 20th Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1740 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board) *

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.

53. 050952 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for Bay Division Pipeline Nos. 3 and 4 Seismic Upgrade at Hayward Fault Project owned and operated by the San Francisco Public Utilities Commission]
Hearing of persons interested in or objecting to the decision of the Planning Department dated May 16, 2005, exempting from environmental review under State CEQA Classes 1 (Existing Facilities) and 3 (New Construction). The proposed project would involve the seismic upgrade of the existing Bay Division Pipelines (BDPL) Nos. 3 and 4, owned and operated by the San Francisco Public Utilities Commission (SFPUC), located in the City of Fremont, California. BDPL No. 3 was originally constructed in the 1950's before the construction of Interstate 680, and consists of a 78-inch reinforced concrete pipe. BDPL No. 4 built in the 1960's, also before the construction of Interstate 680, consists of a 96-inch prestressed concrete cylinder pipe.

The work to be performed would consist of seismic upgrade of BDPL Nos. 3 and 4 at the Hayward Fault crossing by constructing two new vaults, the installation of shutoff valves in each vault, and the construction of a control building on top of each of the vaults to contain electrical and standby generator back-up power and a condition assessment of the existing pipelines to determine potential maintenance needs. BDPL Nos. 3 and 4 provides potable drinking water to the East and South Bay areas. (Appellant: Lijia Chen on behalf of Cayuga Network consisting of 40 appellants.)
(Filed 5/23/05; companion measure to Files 050953, 050954, 050955.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

54. 050953 [Affirming the categorical exemption issued for SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project]
Motion affirming the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

55. 050954 [Disapproving the categorical exemption issued for SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project.]
Motion disapproving the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

56. 050955 [Preparation of findings related to Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:30 P.M.

57. 051053 [Public Hearing - Appeal of Minor Sidewalk Encroachment Permit for 149 Fair Oaks Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works by its decision dated May 25, 2005, denying a Minor Sidewalk Encroachment Permit No. O5MSE-261 for the construction of 15'-0" long x 3'-0" wide planter box and enclosure, leaving an 8'-8" clear pathway along the public sidewalk right-of-way fronting the property at 149 Fair Oaks Street. (Sherri Maurin.)
(Filed June 7, 2005; companion measure to Files 051063, 051063, 051063, District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

58. 051055 [Affirming Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]
Motion affirming the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and denying an Encroachment Permit.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

59. 051054 [Disapproving Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]
Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and granting an Encroachment Permit.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item was considered by the Budget and Finance Committee at a Regular Meeting on Thursday, June 23, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 28, 2005.

60. 050949 [Grant of an Access Easement - Lake Merced Golf Club]
Resolution approving an Easement Agreement between Lake Merced Golf Club, a California not-for-profit corporation, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC"), for the grant of an access easement over SFPUC's Water Pipeline Right of Way in Daly City, San Mateo County.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Government and Audit Oversight Committee at a Regular Meeting on Monday, June 27, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 28, 2005.

61. 051096 [Extension of as-needed architectural services agreements for various public work projects]
Ordinance approving extension of As-Needed Architectural Services agreements with (1) Joe Chow & Associates for completion of the San Francisco General Hospital SwissRay Digital Chest Installation Project (Specification No. 6299A), the San Francisco General Hospital Orthopedic Room Renovation 3M (Specification No. 6288A), the San Francisco General Hospital 1x65 Radiology Department Remodel (Specification No. 6377A), the San Francisco General Hospital TBI Bathroom Remodel 4B (Specification No. 6246A), (2) Carey & Co., for completion of the Torn Waddell Health Center Elevator Replacement (Specification No. 6126A), and (3) Levy Design for the completion of the Coffman Pool Reconstruction Project (Specification No. 6214A), under Administrative Code Chapter 6, section 6.64.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

62. 050819 [Extending Early Retirement Program]**Supervisor Ma**

Resolution extending Early Retirement Program for and through fiscal year 2005-06.
(Fiscal impact.)

5/17/2005, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

Supervisor Elsbernd requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

63. 051039 [Accept-Expend State Grant - District Attorney]**Supervisors Ma, Dufty**

Resolution authorizing the Office of the District Attorney to contract for, accept and expend up to \$172,758 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2005 through June 30, 2007.

Question: Shall this Resolution be ADOPTED?

64. 051037 [Renew Joint Power and Revolving Fund Contract with State]**Supervisors Ma, Dufty**

Resolution authorizing the Office of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (i) contract for, accept and expend up to \$1,292,074 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2005 through June 30, 2007; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years, from July 1, 2005 through June 30, 2007.

Question: Shall this Resolution be ADOPTED?

65. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

66. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

67. 051203 [Legislative Analyst Request - Housing Above Retail]

Supervisor Dufty

Motion requesting the Legislative Analyst to research, analyze, and gather data on Housing above retail. (1) How have other municipalities dealt with this issue?; (2) Have other cities (Seattle, Portland) offered incentives to encourage housing above retail?; and (3) Have the incentives been successful?.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 68 through 85

68. 051163 [Urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, to call on the President to withdraw U.S. troops from Iraq]

Supervisors Daly, Mirkarimi, Sandoval

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, introduced by Representative Lynn Woolsey.

6/14/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/21/2005, CONTINUED. Supervisors Mirkarimi and Sandoval requested to be added as co-sponsors.

Question: Shall this Resolution be ADOPTED?

69. 051183 [Commending California Trout and Pacific Gas and Electric on the Success of "Trout Day 2005"]

Supervisors Elsbernd, Maxwell

Resolution commending California Trout and Pacific Gas and Electric on the success of "Trout Day 2005".

6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 70. 051193 [Issuance and Sale of Revenue Bonds – San Francisco University High School]**
Supervisor Alioto-Pier
Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$20,000,000 for San Francisco University High School.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 71. 051197 [New Gas Tax Revenue]**
Supervisors Ammiano, Dufty, Sandoval
Resolution urging the Governor of California, the California Senate and Assembly to retain transit “spillover” funds for public transportation purposes as prescribed in current law and which would provide San Francisco MUNI with an additional \$17.7 million in funds that could be used for transit operations and capital needs.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 72. 051205 [Supporting Federal Legislation regarding Endangered Species Act]**
Supervisor Peskin
Resolution affirming San Francisco’s support for upholding the Endangered Species Act so it may continue to protect our plants and animals and the special places they live, from the finality of extinction, and urging federal and state elected representatives to do the same.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 73. 051206 [Trinity Plaza Development Agreement]**
Supervisor Daly
Resolution of the Board of Supervisors declaring its intent to enter into a binding Development Agreement concerning the proposed Trinity Plaza development project at 1177 Market Street.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 74. 051207 [Commending Derrick Lam]**
Supervisor Sandoval
Resolution commending Derrick Lam on the occasion of his retirement from the City and County of San Francisco.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

75. 051208 [Contract Approval - Department of the Environment]
Supervisor Mirkarimi
Resolution pursuant to Charter section 9.118(a) authorizing the Department of the Environment to amend a contract with Pacific, Gas and Electric to add \$685,500 to the contract amount and to extend the contract period for an additional year until June 30, 2006 in order to continue implementation of the Demand Reduction Through Energy Efficiency Pilot Program.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
76. 051209 [Resolution commending Charles Camilleri]
Supervisor Dufty
Resolution commending Charles Camilleri on the occasion of his retirement
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
77. 051210 [Exclusive Negotiating Agreement for Development of the Old Mint]
Supervisor Peskin
Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
78. 051211 [Old Mint; Transferable Development Rights]
Supervisor Peskin
Resolution authorizing the director of property for the City and County of San Francisco to execute and cause to be recorded a Statement of Eligibility and a Certificate of Transfer and to take such other actions as may be necessary to effectuate the transfer of development rights from the Old Mint pursuant to Planning Code Section 128.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
79. 051212 [Zoning - Extension of Planning Commission Review Period]
Supervisor Peskin
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code with respect to controls in the North Beach Neighborhood Commercial District
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

- 80. 051213 [Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero-emission RAV4 EVs]**
Supervisors Daly, Mirkarimi
Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero emission RAV4 EVs.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 81. 051214 [Zoning - Extension of Planning Commission Review Period]**
Supervisor McGoldrick
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 82. 051215 [Urging State Legislators to Permit Person 16 Years of Age or Older to Vote in City or County Elections]**
Supervisors Mirkarimi, McGoldrick, Ammiano, Daly
Resolution urging the California Legislature to pass a bill that will allow local choice legislation, for which any city or county could permit persons 16 years or older to vote in city or county elections.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 83. 051216 [Supporting ACA17, primary voting rights for seventeen year olds.]**
Supervisor Mirkarimi
Resolution supporting ACA 17 which would allow for seventeen year olds who would turn eighteen prior to a general election to vote in the primary election for that general election.
- 6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 84. 051127 [Final Map, Planned Development - Mission Bay]**
Motion approving Final Map, Planned Development, Mission Bay (Block N5), a single-lot subdivision, being a Planned Development of Assessor's Block 8703, Lot 6; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents.
(Public Works Department)
- 6/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

85. 051182 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

86. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 14, 2005 through June 20, 2005 for reference by President to appropriate committee on June 28, 2005.

- 051128 [Designate 1110 Taylor Street, the Glaser-Keating as a Landmark]
Ordinance Designating 1110 Taylor Street, the Glaser-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)

6/17/2005, RECEIVED AND ASSIGNED to Land Use Committee.

- 051129** [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]
Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park - Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1.
(Planning Department)

6/20/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

- 051131** [Department of Building Inspection Cash Revolving Fund]
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from \$200 to \$600.

6/15/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 14, 2005 through June 20, 2005 for reference by President to appropriate committee on June 28, 2005.

- 051125** [Airport Contract Modification - Professional Services Agreement for contract No. 3399]
Resolution approving Modification No. 5, of the Professional Services Agreement for contract No. 3399 – Professional insurance brokerage services for specification, placement and administration of an OCIP for the Airport's Master Plan with J&H Marsh McLennan/Merriwether & Williams Insurance Services, to extend the term of the contract for three years for a new ending date of June 30, 2007.
(Airport Commission)

6/17/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

051240 [Petition and Communications]

Petitions and Communications received from June 14, 2005 through June 20, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 28, 2005.

From Office of the Mayor, submitting sole source contracts for fiscal year 2004-2005 for The Department of Economic and Workforce Development. (1)

From Office of the Mayor, submitting sole source contracts for fiscal year 2004-2005 for the Mayor's Office. (2)

From Jo-Ann D'Angelo, expressing concern regarding the Department of Public Health's procedures for obtaining Birth/Death Certificates. Copy: Department of Public Health. (3)

From Recreation and Park Department, submitting sole source contracts for fiscal year 2004-2005. (4)

From concerned citizens, submitting letters of support urging to re-route the 27-Bryant bus line, received 38 letters. (5)

From Peggy Smith, submitting Thank You for the full Board support of the resolution opposing Coal-Fired Power Plant. File No. 051118 (6)

From Supervisor Chris Daly, submitting Jane Martin as his appointment to Seat 6 of the Utility Undergrounding Task Force. Copy: Rules Committee Clerk (7)

From concerned citizens, regarding proposed ordinance making environmental finding and amending the S.F. Park Code to increase current fees, etc. Copy: Each Supervisor and Budget & Finance Committee Clerk, File No. 050602, received 7 letters. (8)

From concerned citizens, protesting a disproportional emergency vehicle noise on Hyde Street. Copies: Each Supervisor, received 3 letters. (9)

From concerned citizens, opposing the proposal to initiate a fee for driving downtown. Received 62 letters (10)

From concerned citizens, urging the Board of Supervisors to hold Supervisor Daly responsible for his actions regarding the Transbay Terminal project. Received 4 letters (11)

From Department of Public Health, submitting response to Resolution #200-05 showing Laguna Honda Hospital's progress to date. File No. 050396, copies: Supervisors Peskin, Elsbernd, and Mirkarimi. (12)

From concerned citizen, expressing opposition to the proposed grocery bag tax. (13)

From Office of the Controller, submitting Controller's Discussion of the Mayor's Fiscal Year 2005-06 Proposed Budget (Revenue Letter – Fiscal Year 2005-06). Copies: Each Supervisor, Budget Analyst, Clerk of the Board, and Assistant Clerk of the Board. (14)

From Recreation and Park Department, submitting Human Rights Commission sole source waivers for amusement park trips for the youth and teens of San Francisco. (15)

From Municipal Transportation Agency, responding to request for safety review of the intersection of Divisadero, Castro, and Waller Streets. (Reference No. 20050215-004) Copy: Supervisor Mirkarimi (16)

From Ethics Commission, submitting Regulation to Implement the Campaign Finance Reform Ordinance. Copy: Each Supervisor (17)

From Ethics Commission, submitting Comment of Proposed Charter Amendments. Copies: Supervisor Peskin, Alioto-Pier, and Mirkarimi (18)

From Department of Elections, regarding Mock Election for Proposed New Voting Systems. Copies: Each Supervisor (19)

From San Francisco Architectural Heritage, submitting support for the proposed ordinance to repeal section 263.1 of the Planning Code and amend the Zoning Map. Copies: Supervisor Maxwell, Sandoval, and Mc Goldrick, File No. 050297 (20)

From Office of the City Attorney, submitting Planning Commission Motion No. 17028 regarding the Transbay Redevelopment Plan for Case No. 2004.0055R. (21)

From Department of Public Health, submitting a copy of waiver from compliance with Chapter 12B of the City's Administrative Code to contract with Metro Park Laundry. (22)

From Department of Public Works, responding to Supervisor Mirkarimi's request to report on the status of the repair of the empty sidewalk squares on the west side of Masonic, between Fell and Hayes Streets. (Reference No. 20050419-003), Copy: Supervisor Mirkarimi. (23)

From concerned citizens, expressing support for the Embarcadero/Broadway hotel and opposing the downzoning. File No. 050299. Copy: Land Use Committee Clerk, received 14 letters. (24)

From Stephen M. Harper, submitting support to bring the U.S.S. Iowa to San Francisco. Copy: Each Supervisor (25)

From Fire Department, submitting the 2004 Fire/Life Safety Inspection Report for the Taraval, Tenderloin, Park, and Northern Police Stations holding cells. (26)

From Office of the Controller, submitting response to the Finance and Budget Committee questions (June 9, 2005 meeting)– Average City and Contractor Costs for Proposition J Contracts. Copy: Budget and Finance Committee Clerk. (27)

From Office of the Controller, submitting response to the Finance meeting of June 16, 2005 – Budget Add Backs, Fiscal Year 2005-06. Copy: Budget and Finance Committee Clerk. (28)

From Department of Public Health, submitting document showing how the Mayor's proposed budget addresses virtually all of the Budget and Finance Committee's policy and program priorities for the FY 2005-2006 budget. Copies: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, Mc Goldrick, and Budget and Finance Committee Clerk. (29)

From M.R. Wolfe & Associates, submitting additional material in support of Appeal of Categorical Exemption, SFPUC Bay Division Pipeline (BDPL) 3 & 4, Seismic Upgrade at Hayward Fault, City of Fremont. (30)

From San Francisco Municipal Railway, submitting Short Range Transit Plan FY 2006-2025. (31)

From Law Offices of Stephen M. Williams, submitting Appeal of Categorical Exemption from Environmental Review for 899 North Point Street. (32)

From Julian P. Lagos, submitting Letter of Appeal – Mitigated Negative Declaration for 800 Brotherhood Way. (33)

From Office of the Governor, submitting proclamation signed by Governor Schwarzenegger calling for a special election to be held on November 8, 2005. (34)

From Telegraph Hill Dwellers, urging the Board to support the ordinance amending the SF Planning code by amending the zoning map to change the height and bulk designation of Assessor's Blocks 139, 140, and 141. File No. 050299, Copy: Land Use Committee Clerk. (35)

From concerned citizens, expressing opposition to the Mayor's proposed funding cuts for public access by 12% in the 2005-2006 fiscal year. Copies: Each Supervisor, received 2 letters. (36)

From Office of the Controller, submitting Review of West Bay Pilipino Multi-Service Center. (37)

From Office of the Controller, submitting The Controller's Follow-up Report on the Public Education Enrichment Fund for Consideration at the Budget and Finance Committee Hearing of June 22, 2005. File No. 051148, Copy: Budget and Finance Committee. (38)

From Human Rights Commission, submitting a Waiver Request for San Francisco Ministorage. (39)

From SF LAFCO, submitting memo regarding the Commission's Recommendation Regarding the Community Choice Aggregation Implementation Plan Prepared by Mr. Paul Fenn. (40)

From Richmond District Democratic Club, submitting opposition to funding RFID in the 2005-06 Budget. File No. 050968, Copies: Each Supervisor. (41)

From Monica Fish, submitting written public comment regarding the Unrepresented Employee Ordinance (MOU's). File No. 051015, Copies: Each Supervisor. (42)

From Marsh and Associates, submitting mailing list and labels for CEQA Appeal regarding 1740 – 20th Street. Copies: Each Supervisor. (43)

From The Rent Board, submitting sole source contracts for fiscal year 2004-2005. (44)

From Gina Moscone, advising the Rules Committee of her absence at the June 15, 2005 meeting. Copies: Supervisors Alioto-Pier, Mirkarimi, Peskin, and Daly. (45)

From Dale Sharp, expressing his opinion regarding the title Chinese American. (46)

From: concerned citizens, expressing opposition to the proposal to privatize the Asian Art Museum security guard force. (47)

From Henry Milich, expressing concern over bus service, graffiti, traffic, and the homeless problem in the City. (48)

From Patrick Landon, applauding the City's job on the North Beach swimming pool renovation and suggesting it be open for more hours during the day. (49)

From James Markunas Society, submitting copy of letter to Bay Area Reporter regarding their story entitled "Sheriff's deputy fired". Copies: Each Supervisor (50)

From Department on the Status of Women, submitting response to Supervisor Mirkarimi's request to report on the amount of grants that have been awarded to service providers located in and/or serving District 5. (Reference No. 20050503-010), Copy: Supervisor Mirkarimi (51)

From Jay Cox, submitting suggestion that the City pay private citizens to bring forth video taped evidence of a crime vs. utilizing crime cameras. (52)

From Linda Z. Adler, expressing concern over the City's homeless utilizing the UN Plaza/Civic Center area as a open air "flop house", drug store, and toilet. (53)

From John Cervantes, seeking support for the Mayor's proposed Recreation and Park budget. Copy: Each Supervisor (54)

From Fire Department, submitting Annual detention Facility Inspection for Youth Guidance Center – Juvenile Hall. (55)

From Fire Department, submitting Annual Fire and Life Safety Holding Cell Inspection for Bayview Police Station. (56)

From Fire Department, submitting Annual Holding Cell Fire Inspection for Ingleside Police Station. (57)

From Pamela Young, urging the Board to vote against the Waterfront Hotel project. (58)

From concerned citizen, submitting petition in support of the efforts of the Pacific Avenue Neighborhood Association to change the zoning of lots currently zoned NC-2 to RM-1. File No. 041154 (59)

From Russ Potter, expressing opposition to the TransBay Terminal Project. (60)

From Mansfield Kimbro, Jr., expressing concern over the San Francisco Chronicle's newspaper story entitled "Alicia's Story". (61)

From San Francisco Gray Panthers, urging the Board to support the proposed Single Standard of Care legislation. File No. 051030, Copy: Government Audit & Oversight Committee Clerk. (62)

From Elena Bridges, submitting suggestion that medical marijuana patients not be required to register with the Department of Public Health. (63)

From concerned citizens, expressing concern over the recent Pit Bull mauling and urging the Board to do something about it. (64)

From concerned citizen, expressing concern over pesticide use when cultivating medical marijuana. (65)

From Office of the Controller, submitting The Controller's Follow-up Report on the Public Education Enrichment Fund for Consideration at the Budget and Finance Committee Hearing of June 22, 2005. Copy: Budget and Finance Committee Clerk. (66)

From Michael Crandell, urging that the Health Service System's budget be funded to retain the 5 staff scheduled for layoff. (67)

From Debra A. Green, urging the Board not to approve funding for RFID in San Francisco's Public Libraries. File No. 050968 (68)

From Paula Datesh, expressing concern regarding 2 licensed street artists who blocked pedestrian traffic during the North Beach festival. Copy: Supervisor Peskin (69)

ADJOURNMENT



